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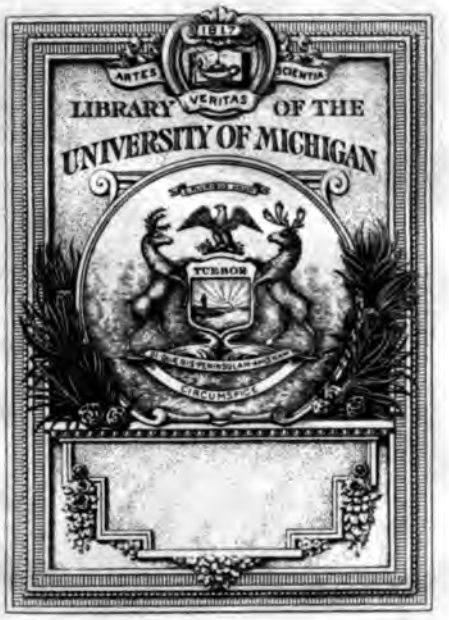
Historical and Statistical.

BY

GEORGE LEWIS SMYTH.

VOL. II.

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CHAPTER X.

OUTLINES OF THE HISTORY OF THE CONNECTION WITH ENGLAND—*continued.*

ADMINISTRATION OF LORD STRAFFORD.—PERFIDIOUS DENIAL OF THE GRACES.—NEW INVASIONS OF PROPERTY, AND A NEW ARISTOCRACY.—REVIVED ASCENDANCY OF THE HOUSE OF ORMONDE.—ROGER MOORE, AND THE REBELLION OF 1641.—THE WAR OF THE CONFEDERATES.—CROMWELL LORD LIEUTENANT.—FURTHER FORFEITURES.—ACTS OF SETTLEMENT AND EXPLANATION.—ORMONDE A DUKE, AND AGAIN LORD LIEUTENANT.—HIS DEATH AND CHARACTER.

IRISH affairs appear in a new but still in a troubled phase, under Charles I. and Charles II. The royal authority, overturned because overstrained, became, when restored again, overpowering: the Reformation, irresistible in point of law, was nevertheless scarcely established in point of fact; while the liberty of the subject remained unknown. Here, as elsewhere, civil liberty was in no degree extended, though the principle of freedom of conscience was proclaimed.

Ireland was never ruled by a man of more eminent talents, a haughtier spirit, or a firmer mind, than Wentworth, earl of Strafford. In his administration the policy was consummated which, dictating the subjugation of the Anglo-Irish barons and the native chieftains, had erected upon the fall of their wild immunities and licentious pretensions, an absolute and uncontrolled dominion upon the part of the crown. As they are now seen, there was nothing doubtful or obscure in the

objects or manner of Strafford's government;—his personal character, too, was strikingly displayed: it is shown in his actions and in his letters, with an open reality and indomitable earnestness, which often tempt us to admire him most when we should least respect him. He was a man who never hesitated in his course, or brooked concealment of his purpose. Great in personal courage, he was greater still in intellectual daring, and had cultivated his many talents with felicitous care; but he was proud, domineering, and insulting. He poured his whole soul into his office, and was every inch the viceroy. There was no department of government which his genius did not pervade, and in which his influence was not directly felt. A spirit of exalted tyranny was developed throughout his career with a force which, like that of well tempered steel, combined the highest degrees of strength and refinement. He moulded into order the chaos of Irish misgovernment, and in a manner forced the country, by the irresistible vigour of his despotic will, into a condition of comparative prosperity. His early recall to England, where he was carried off with comparative ease, was a fortunate event for the approaching commonwealth. Had he remained in Ireland, his destruction and the prostration of the monarchy would have been a more difficult—perhaps an impossible achievement.

One of the passages quoted from his letters in the last chapter, contained a remark as to himself, which should have made some impression upon the reader. "I spare no man amongst them," he cried; "let no man spare me." His correspondence is full of similar avowals. "Now," he exclaims, on one occasion, "the king is as absolute here as any prince in the whole world can be." In another place he explains the means by which he proposes to obtain a servile House of Commons to execute his behests. "I shall labour to make as many captains and officers burgesses in this parliament as I possibly can, who, having immediate dependence upon the crown, may almost sway the business between the two parties as they please." In a third he relates his success in corrupting the judges, whom he describes with emphatic satisfaction, as men who "now ministering wholly to uphold the sove-

reignty, carried a direct aspect upon the prerogative of his majesty, and squinted not aside upon the vulgar and vain opinions of the populace."

Lord Digby shortly described Strafford's "rare abilities, of which God gave him the use and the devil the application." Severe as this censure is, it is easy to prove that it is not unjust. When Charles I. became king, Lord Falkland was chief governor. Under his auspices, a meeting was held at Dublin, in the year 1628, composed of several Protestants of rank, and the leading Roman Catholics, who then formed the great majority, not of the population only, but of the landed proprietors of the country. A set of measures, or, as they were afterwards called, Graces, for tranquillizing the affairs of Ireland, was proposed and agreed to in this assembly. They gave general satisfaction, and are admitted on all hands to have been moderate. The more important articles provided for the security of property, by forbidding retrospective inquisitions into defective titles—for the due administration of justice; the discontinuance of military depredations; the extinction of monopolies in the Irish trade with other countries; a better regulation of the powers of the ecclesiastical courts, and of the Protestant clergy—who were no longer to be permitted to keep private prisons for their own causes, but to commit offenders to the king's gaols and officers; and a mitigation of the penal statutes upon the tender subject of religion, together with a general amnesty for the past. As no favour or concession, however reasonable or fair, was ever to be expected from royalty, unless when it was accompanied by a suitable offer of money, the parties undertook to raise and pay a sum of £100,000, as the price of these graces.

The friends of Charles I. say that he was himself impressed with a conviction of the equity of the appeal thus made to him by his Roman Catholic and Protestant subjects united. Certain it is, that he not only took their money, and promised to grant their prayers, but intimidated them into an agreement to add £20,000 to the first contribution, after which he broke his pledge. The fraud could not have been more deliberate or

complete. Charles sold a promise of justice to his oppressed subjects, and after receiving the stipulated price, never mitigated a penal statute, reformed a single abuse, or lightened one of the many burdens which bent them double, with poverty and pain, to the earth. The writers who are shocked at the outbreak of the insurrection in 1641, and the subsequent war of the Confederates, are generally content to pass over this piece of royal perfidy with a slight notice.

Wentworth was the minister who undertook to brave out the cheat, of which the sovereign appears to have been somewhat ashamed. He came over with his part pre-arranged, and by the duplicity with which he performed it, increased the baseness of his private compact with the king. He was determined not to grant the graces, and at the same time intent upon saving the reputation of his royal accomplice. In executing this difficult task of deep infamy, he proceeded with consummate art. The parliament, naturally suspicious of the delays which had taken place, gave vent to some observations expressive of a fear that the king might disregard his pledge. For this they were publicly rebuked by the lord deputy, who, at the very time that he held written instructions in his hands to deny the promised concessions, had the hardihood to protest that not a doubt of his master's sincerity was to be entertained. The deceit was so monstrous, that if the evidence upon which it rests were less positive than it happens to be, we should hesitate to believe it. But the parties are proved guilty by their own confessions.

The lord deputy's words to the parliament were these:— "Surely so great a meanness cannot enter into your hearts as once to suspect his majesty's gracious regards of you, and performance with you, where you affix yourselves upon his grace." Charles's acknowledgment of the accomplished dissimulation with which his perfidy was masked in this address solemnly delivered to parliament, is strong in corresponding guilt. "Before I answer any of your particular letters to me, I must tell you that your last public despatch has given me a great deal of contentment; especially for the keeping off the

envy of a necessary negative from me of those unreasonable graces that people expected from me."*

Having deceived the parliament and gratified the king, Strafford put an end to its sittings, and proceeded to arm his office with the tremendous jurisdiction of a high commission court, erected after the English model. Superadded to the usual purposes, his letters inform us that he proposed to attain another of no inconsiderable value, namely, the collection of a large revenue. The leading object of his government was to raise a military force, and to find money for supplying the wants of Charles in England. He kept this end constantly in view, and accomplished it with unbending severity in some instances, but in others with meritorious ability. He was almost the first chief governor who deserved the praise of protecting and extending commerce by enlarged and judicious measures. We find him guarding the coasts from pirates, introducing manufactures, and encouraging a spirit of well directed industry. Even this good, however, was not effected without the infliction of a corresponding evil. Ireland stands indebted to Lord Strafford for its linen manufacture; but if he introduced that trade he took away another at the same time, putting down the woollen manufacture of Ireland as a sacrifice to English interests. On this occasion he acted with no common spirit and liberality. In order to encourage others by his example, he embarked in the linen trade, out of his private fortune, as much as £30,000—a vast sum in those days.

Very different was the character of his administration in other respects. Future ages could only derive advantage from these industrial enterprises. Meantime the necessities of the crown were urgent, and demanded immediate relief. The lord deputy procured it by availing himself, with prompt and strict severity, of every pretext to extort money which the artifices of the crown lawyers, or the arbitrary powers of the

* This was not the only instance in which Charles called upon his creature to damn himself, while saving the royal honour. Another letter is extant, in which, referring to some grants which he had made upon the establishment of Ireland, he selfishly bids the lord deputy, notwithstanding what he had himself done, to ratify or refuse them as the service may require—*yet so, too, as I may have thanks, howsoever—that if there be any thing to be denied, you may do it, and not I.*

high commission court could place within his reach. He compelled Lord Wilmot, who had commanded the army in Ireland for many years, to make compensation for lands usurped from the crown, and improperly alienated. The possessions of the unfortunate Byrnes in Wicklow were again attacked, and produced £15,000. The city of London was sued for breaches of covenant in the plantations of Derry and Coleraine; and their grant, being forfeited, was redeemed by a fine of £70,000. Hume, who dwells with emphasis upon the "noble cares of James I. for Ireland," who mildly describes the lawless exactions of the Star Chamber as only "somewhat blameable," pronounces the administration of Strafford "innocent and laudable." It was partiality, in all likelihood, and respect for Hume's reputation, that prompted Leland also to speak indulgently of the tyrannical excesses of this epoch; and to content himself with observing that "individuals indeed were frequently aggrieved by an administration which disdained to be restricted within the boundary of the laws; but that still Ireland in general experienced the good effects of the composure produced by the terror of a severe, vigilant, and active government, while the revenue was considerably increased by the augmentation of rents, as well as by the sums raised in fines on the renewal by patent of former grants of lands."

Notwithstanding the established reputation of these authorities, there are, it is to be hoped, but few writers who will now venture to palliate the enormities of Lord Strafford's administration, or to contend that any increase of the casual revenues of a country like Ireland, any violent suppression of one manufacture coupled with the forced cultivation of another in its stead, or any temporary diminution of agrarian turbulence, produced by enlisting the idle population of the country into despotic armies, could prove of real value to the community, or compensate for the violation of all its laws. Lord Strafford in Ireland, to use his own words, when arraigning the conduct of ministers from the ranks of the opposition in England, "ravished the spheres of all ancient government, and the free constitution of the realm."

There are other crimes to be recorded of Strafford, which more than justify the application of this language. He revived the suspended scheme of a new plantation of Connaught; and laboured strenuously to enforce its execution by mocking the most solemn constitutional rights, as if it gave him pleasure to produce unbounded outrage and iniquity out of the established forms of legal order and justice. Bent upon invalidating the titles of every landed proprietor in the whole province, he determined that his measures should be sanctioned by verdicts from juries, upon which he took care to place the principal inhabitants, as being better able to pay a heavy fine in the castle star chamber, "in case they should prevaricate." His manner of dealing with these victims was inexpressibly contemptuous and insulting. He warned them that it was perfectly indifferent to his majesty, whether their verdict should acknowledge or deny his title. If they were inclined to truth, and to their own interests, they were to find a title for the king; but if they preferred to do that which was simply best for the crown, without regard to their own good, he advised them not to find any title at all. This daring and indecent interference produced its full effect. The king's title was found, without scruple or reservation, for the county of Longford, and all Connaught, with the exception of Galway. The verdicts were accompanied with a petition for the equitable treatment of the actual proprietors, and a due provision for the church; and Strafford readily issued a proclamation, promising easy compositions and new and indefeasible grants. But in Galway the jury refused to find for the crown, and the lord deputy gave instant proof of the danger that was to be incurred by thwarting his proceedings. —Laying a fine in the castle chamber, of £1,000 upon the sheriff, and £4,000 upon the jurors, he further sentenced them to be imprisoned until the money was paid, and they had humbly acknowledged their offence upon their knees in open court. It is impossible to examine the full accounts preserved of these proceedings without being impressed with a feeling of indignation against the man who could execute them, and the liveliest satisfaction to find that, notwithstanding all

his genius, his daring, his pains, and his power, they were ultimately defeated. There was an appeal from the verdicts returned by the juries; the great case of tenures was argued at length before the judges, and decided in the king's favour; yet such was the just clamour universally raised, and such the growing resentment manifested even in England against his insolent misgovernment, that the scheme was laid aside, and at last wholly abandoned.

The instances of Wentworth's tyranny are too numerous to be related in detail. He seems to have assumed, as a general rule, that no man in Ireland was possessed of any rights whatever, distinct from or independent of the crown, or rather of the experiments which the government of the day might deem it advisable to try, in the hope of advancing those interests.* Persons accordingly were seized, and property was taken away, without hesitation or regret, whenever the slightest opportunity presented itself of promoting the good of what was called his majesty's service. For the sake of that very equivocal cause, Wentworth was always ready to attack whole bodies or individuals with equal alacrity and rigour; and so impatient was he of restraint, delay or opposition, and so peremptory and overbearing in the prosecution of his measures, that even when his object was laudable, he injured justice by the rudeness with which he carried it into effect. This appears conspicuously in the case by which he properly compelled the earl of Cork to give up £2,000 a year, taken

* Strafford, by his contemptuous disregard of the rights of all classes, unquestionably sowed many of the seeds out of which grew the war of the Confederates. When the lords of the Pale, pursuant to a custom of long standing, desired to be summoned and consulted before parliament met, respecting the business to be transacted, he insolently announced to them that it was their duty to consider, not what might please the people, but what could please the king; that his majesty expected confidence, and would admit of no conditions, bargains, or stipulations, and no constraint upon the free and cheerful will of the people: that he must have not a momentary and precarious supply, but a permanent provision for the army. "As a faithful servant to my master," he concluded, "I shall counsel his majesty to attempt this, first, by the ordinary means. Disappointed there, I could not, in a cause so just and necessary, deny to appear for him at the head of that army, and there persuade them fully that his majesty had reason on his side, or die in the execution of his commands so justly laid upon me."

from the church. Amongst other proceedings of indecent severity and unprincipled subterfuge, we have only room to refer to those against Sir Piers Crosby, who was condemned and executed under circumstances of peculiar atrocity; against the Lord Chancellor Loftus; against the earl of Kildare, whom he committed to prison for hesitating to submit his estates to the judgment of the privy council; and worst of all, against Lord Mountmorris, upon whose trial, arising out of a personal quarrel, he shamelessly presided in person, and brought all the influence of his talents and his office to bear against the accused.

Notwithstanding the odious light in which these various transactions place the administration of Wentworth, it is to be borne in mind, that if we were to test its merits by the rules on which he professed to act, and the designs he proposed to accomplish, it was eminently effectual. He was the king's devoted servant: to strengthen his prerogative, and to render his tyranny more formidable by raising troops and money for its support, constituted the summit of his ambition. A career so grateful to the sovereign, met, as a matter of course, with the warmest approbation at court; and was crowned, it must be admitted, with no mean success. Wentworth by his strong and able management not only disencumbered the Irish revenue from debt, but saved a large surplus to serve as a provision against sudden emergencies. On the first alarm of the rising of the Scots, he remitted £30,000 to the king from the Irish exchequer, with a considerable donation from the private fortune which, like all other governors, he did not fail to acquire in Ireland.

As the king's difficulties increased, the Irish forces were mustered, reviewed, and augmented, and detachments were even drafted over into England, to strengthen the royal arm in that country. A cringing parliament, instigated, no doubt, by his dexterous and commanding spirit, voted four entire subsidies, together with a loyal address, thanking the king in terms of high-strained eulogy, for his paternal goodness in giving them so exemplary a lord lieutenant. With more sincerity but not more credit to themselves, they recalled the vote when the object of it fell into disgrace and peril in England, and

pursued him with accusations; but these were so unskilfully framed, that he escaped uninjured from them, notwithstanding the barefaced illegality of the whole course of his government.

At length having issued the necessary orders for levying the parliamentary grants, and for raising and regulating a new army, Strafford obeyed the pressing invitation of the king, and returned to England, where his subsequent fate, fully merited and nobly borne, gave him the conspicuous place in history, which he is not likely to lose. Wandesford, master of the rolls, long a confidential colleague, and now his deputy, received the charge of raising the subsidies, while the command of the army was entrusted to another personal friend, the earl of Ormonde, who afterwards became lord lieutenant, and was for a series of troubled years the principal minister of the crown in Irish affairs.

The re-appearance in public life of one of the old Anglo-Irish nobility, suggests the propriety of a short statement explanatory of the actual condition of a body always influential in the government of the country. The peerage had undergone mighty changes: many of those families with whose names and fortunes the past history of Ireland has made us most familiar, had ceased to exist in the main line, or had withdrawn from war and politics: new men occupied their places, and were actively and successfully employed in raising up over the powerless remains of prostrate factions and extinguished immunities another superstructure, which they contrived to render equally efficient for keeping the country still a prey to the oppressions of aristocratic misgovernment. As but too many occasions will present themselves for pointing out the means by which this second system of using Ireland for no purpose but that of supporting the ambition of a few noble families; and as the men by whom it was principally turned to account, will often have to be mentioned; it will be enough to describe the race and their practices here in a brief account of one of the first and most fortunate of the new aristocracy—"the Great Earl of Cork," as he is styled by his biographer, Mr. Budgell.

Richard Boyle, born in Canterbury, October 3, 1566,

received his education at St. Bennett's College, Cambridge. "After studying the law with great application for some small time, he found that his fortune was vastly inferior to his spirit, and that he was unable to support himself like a gentleman in his own country;" he therefore determined to follow the example set by so many other Englishmen in distressed circumstances, and became an adventurer in the land of spoliation and oppression. "When I first arrived at Dublin," he tells us, in some "true remembrances" which he left behind him, for the information of his posterity, "all my wealth then was £27 3*s*. in money, and two tokens, which my mother had formerly given me, viz., a diamond ring, which I ever have since and still do wear; and a bracelet of gold, worth about £10; a taffety doublet, cut with and upon taffety; a pair of velvet breeches, laced; a new Milan fustian suit, laced, and cut upon taffety; two cloaks, competent linen, and necessaries, with my rapier and dagger."

Provided and armed with this small stock, Mr. Richard Boyle proceeded, according to his biographer, to make himself quickly remarkable in Ireland. His first speculation was propitious. "One of the daughters and co-heiresses of Mr. Annesley, of Limerick, a young lady of great merit and fine understanding, fell in love with him; and though her fortune was vastly superior to his pretensions, yet her indulgent father, charmed with the young gentleman's conversation, suffered his daughter to marry him." Mrs. Boyle died in her first accouchement: the mother and child were buried together, while the widower found himself master of £500 a year in land, and so much money acquired by his marriage, that he started as a public character, and by his many purchases, and conspicuous style of living, excited the envy of Sir H. Wallop and of other men in office, who wrote over to England that he was supported by the purse of some foreign enemy of the crown, and was a Roman Catholic at heart.

Boyle was preparing to leave Ireland, and vindicate himself from these charges before the queen, when the Munster wars connected with the fall of Desmond broke out, and wasted his estates in "such a manner," according to his own account,

"that he had not one penny of certain revenue left." In this ruined condition he made his way back to London, and taking his former chambers in the Temple, proposed to resume the legal profession. But the earl of Essex being appointed to the chief command in Ireland, Boyle "made a shift to get himself recommended to that nobleman," and being received with all the humanity which rendered him so justly popular, accompanied him on his expedition. Being soon after arrested by Wallop on the old charges, he was sent to London in custody, and a day appointed for his appearance before the council, when the queen presided in person. On this occasion Boyle, after giving a relation of his conduct in Ireland, throughout which he made it appear that he had been loyal in the extreme, retorted accusations upon his enemy, and concluded with "an explanation of the lord treasurer's method of passing his accounts," which riveted the attention of the queen and her advisers. He had no sooner done speaking, according to his own version of the affair, than Elizabeth broke out lustily with these words, "By God's death all these are but inventions against the young man, and all his sufferings are for being able to do us service, and those complaints are urged to forestall him therein; but we find him to be a man fit to be employed by ourselves, and will employ him in our service. Wallop and his adherents shall know that it shall not be in the power of any of them to wrong him—neither shall Wallop be our treasurer any longer."

Acting on her words at the moment, Elizabeth named Sir George Carew treasurer, in Wallop's stead, and commanded that Boyle should be discharged from confinement, and reimbursed for all fees and charges, incurred through the accusation. A few days after she gave him the office of clerk of the council of Munster, under Sir George Carew as lord president; and this, to borrow his own words, "was the second rise that God gave to his fortunes."

Attending upon the lord president through the campaign against the Spaniards, he was advised by that officer to purchase the lands obtained by Sir Walter Raleigh out of the palatinate of Desmond. This was a far-sighted and judicious

speculation. The management of his Irish property had given Sir Walter much trouble, while the income it produced, in consequence of the prevailing troubles, was inconsiderable. Both Sir George Carew and Sir R. Cecil became Boyle's patrons and mediators in the negociation which was now commenced, and a bargain was soon struck between him and Raleigh. The sum given for the purchase is not mentioned: it was probably small; but the estates were extensive, and soon proved valuable. They comprised the towns of Dungarvan, Lismore, Youghal, Kinsale, and Bandon, with broad and fertile tracks spreading round each; and this, continues the fortunate adventurer, "was the third addition and rise to my estate."

Boyle now rose steadily to the highest rank and most distinguished offices in the country. In 1606 he was sworn a privy councillor by the Lord Deputy Chichester; in 1616 he was created Baron Youghal; in 1620, Viscount Dungarvan and Earl of Cork; and in 1629 he became lord justice, in conjunction with his son-in-law, Lord Loftus. In 1631, he obtained the place of lord high treasurer, from which, years before, he had been the means of ejecting Sir H. Wallop. The patent issued on this occasion made the office hereditary in his family. By his second wife, Catherine, daughter of Sir Jeffery Fenton, principal secretary of state in Ireland, he had seven sons and eight daughters. Of his sons, three became peers before his death—Richard as Viscount Dungarvan, Lewis as Lord Bandon, and Roger as Lord Broghill; a fourth, Francis, was afterwards made earl of Shannon. The youngest, Robert Boyle, was the philosopher, who acquired, by his scientific discoveries and writings, a fame far higher and more lasting than titles can bestow.

Notwithstanding all his honours, estates and influence, there is nothing in the life of the first earl of Cork to excite interest, or call for praise. He was a man of moderate but persevering talent, and rather a favourable specimen of the new aristocracy who began to settle in Ireland at this period, and to obtain the management of public affairs and the patronage of the government, by the strength of family compacts. To the weight possessed by his own and his sons'

peerages, we must add the influence possessed by his brother's family in the church, four of whom, as already stated, were bishops within a short period. His success, which seems wonderful at first, was of a kind neither rare in his own age, nor in the present day. He was a good calculator; prudent in his expenditure, without being mean; and made his way quietly and through good management, by knowing when to bend and when to lie by, and when to push his object home. Exact at all times in his attention to the duties of his situation, and ever prepared to improve his fortune by securing possession of the advantages which public life constantly offers to a quick observer, with dexterous hands; exemplary in his observance of religious forms, and never failing in the responsibilities of office,—we see that he belonged to that thriving class of men who will do every thing that is not positively dishonest to serve themselves. Sagacious, self-interested, sly, and persevering, he made it a point to attain whatever object he had in view by private arrangement rather than by public exertions. Expressions of gratitude to God's providence appear to have been incessantly on his lips, but it is easy to perceive that he kept his head and hands always so busily employed, that if at any moment the divine blessing happened not to carry him on to his ends, he was able to make up for the deficiency by the more humble agency of human perseverance.

Richard, the second earl of Cork, attached himself closely to Charles I., and procuring two English peerages, with the titles of Baron Clifford and Earl of Burlington, took no part in Irish politics. The influence of the family was sustained during his absence from Ireland, by his brother, Lord Broghill, afterwards created earl of Orrery, who stood forward as a prominent public character, much about the juncture at which Strafford, retiring from the government, placed the army, as already mentioned, under the command of the earl of Ormonde.

Thomas, tenth earl of Ormonde, who by taking the leading part described in a former chapter, in the destruction of the Desmonds and O'Neils, accomplished the main object of the government and the ruling policy of his own family for ages,

was obliged to retire from public life while at the height of his ambition. Fifteen years before his death took place he became blind, and thenceforward lived in his castle at Carrick on Suir, where he is described wearing a long beard and his order of the Garter about his neck, "whether he sat up in his chair or lay down in his bed." Leaving no son, he made his nephew, Sir Thomas Butler, of Kilcash, who was heir to the title, heir to the greater part of the estates also. This Sir Thomas had a son, married to Elizabeth, daughter of Sir John Pointz, of Acton. The first child of that marriage was James Butler, afterwards twelfth earl and first duke of Ormonde, and by far the most celebrated of his name and family.

The early life of this nobleman held out no prospect of the splendour by which it was ultimately surrounded. Sir Thomas Butler had disapproved of his son's marriage, and refused to receive his wife. Owing to this circumstance, James Butler was born at Clerkenwell, in the year 1607, and placed at nurse with a carpenter's wife at Hatfield, while his parents went to live at the house of Mr. Anthony Southwell, in Cork. In 1613, the boy paid his first visit to Ireland, and spent some time at the castle of Carrick with his great grand-uncle, the old blind earl, and with his grandfather, Thomas, the eleventh earl, who succeeded to the family honours in 1614. Losing his father, who was drowned off the Skerries in a voyage from Dublin to Holyhead, in 1619, he was sent by his mother to a Roman Catholic school at Finchley, near London. This proceeding gave offence to James I., who quickly enforced his own views respecting it, according to the despotic fashion of the age. Making use of his creature, Sir W. Parsons, master of the Court of Wards in Ireland, he caused the boy to be declared a ward of the crown, although the only condition out of which such a case could arise, namely, the possession of land in Ireland, did not exist. The boy's grandfather, Thomas, the eleventh earl, was still living, and a claimant for the family inheritance. We shall presently describe how shamefully he had been deprived of that by the king, even while insisting upon the custody of, and removing the heir from Finchley, in order that he might be educated by

Abbot, archbishop of Canterbury, a prelate who paid no attention to the charge—in all probability because he was ill paid for it.

Amongst the numerous court favourites of this period was Sir Richard Preston, groom of the chamber, who contrived to obtain a patent for the earldom of Desmond. Preston's wife was the only daughter of the blind earl of Ormonde. That peer, while settling the principal family estates upon his heir at law, reserved to his daughter certain manors and a sum of £6,000. This fortune did not satisfy her husband, who, counting upon the king's partiality, set up a claim in her right to all the Ormonde property. A long and harassing lawsuit took place, in which the king, supporting his favourite at every stage, sought to overrule the judges and dictate a decision. But the case was so plain, that even in that subservient age judgment was pronounced for Ormonde. Another of those grievous abuses of law and justice, so characteristic of the reign of the Stuarts, was now committed. Finding no other way left to gratify his minion, the king took it upon himself to reverse the law proceedings, and upon his own authority ordered judgment to be entered for Preston. Nor did his tyranny stop here, for Ormonde, having made some attempt to resist the wrong thus inflicted upon him, was cast into the Fleet prison, where he was left to endure the lowest extremes of want for a term of eight years.

Such were the unpromising circumstances under which James Butler, who enjoyed by courtesy the title of Lord Thurles, made his appearance at the court of the monarch, who had cut off from him the inheritance of the possessions so long held by his family in Ireland. Adopting the army as a profession, he solicited a commission from the duke of Buckingham, and desired to be employed on foreign service. But the duke—unwilling perhaps to appear as the patron of a youth to whom the king's favour did not incline, refused his application, and Lord Thurles continuing in London, became an occasional visitor at the court. There he met his cousin, the Lady Elizabeth Preston, only child and heiress of the earl of Desmond, who held the Ormonde estates. To her he paid

suit, and after a while a fortunate and judicious accommodation of all differences was effected by the marriage of the cousins, September 8, 1629. The king was a party to the contract, issuing letters patent upon the occasion, in which he put on record his approval of the marriage, and vested the wardship of the bride's lands in the late inmate of the Fleet prison, who, dying in 1632, left his grandson fully reinstated in all the ancient honours and possessions of the family. The young lord resided for a short time in England, and then took up his residence at the castle of Carrick on Suir, which continued to be his choice seat for many years.

A close intimacy was soon formed between Wentworth and Ormonde, and it arose out of an incident which seems worth relating. The lord deputy, having reason to apprehend that his first parliament would prove tumultuous, had issued a proclamation to enforce an old order, forbidding peers or commoners to enter the house with swords. When Ormonde came up, the usher of the black rod demanded his sword, and was answered, that if he must have it, it should be in his guts: so saying, Ormonde took his seat, and proved to be the only peer that day who had dared to vindicate his rights and person from insult. Strafford, struck by his intrepidity, sent for him immediately, and demanded to know if he had not seen the lord lieutenant's proclamation; to which Ormonde replied, that he had disobeyed that order upon the higher authority of the king's writ, which summoned him to parliament *cum gladio cinctus*. Strafford felt that a spirit so determined must either be crushed or conciliated, and finding that Ormonde held the proxies of Lords Castlehaven, Somerset, Baltimore, and Arundel, he adopted the latter alternative, upon the advice of Sir George Radcliffe, and Wandesford, master of the rolls.

Both parties seem to have turned the accommodation to their separate interests. Strafford was now busy with a plan for planting the extensive tracts called Upper and Lower Ormonde, over which the earl had palatine and other rights, and he found it difficult to proceed while the latter held back

his deeds and muniments. These, however, it was now agreed should be produced, and the settlement of the lands was expeditiously effected—Ormonde receiving one fourth part of all the crown planted, and obtaining grants of 1,000 acres each for his friends, John Pigot, Gerald Fennel, and David Routh, esquires.

The progress of Irish events for several years after this period exhibits four noblemen, intimately connected with the country, filling conspicuous offices, and rendering important services to the English monarch. Of the first and greatest of these, Lord Ormonde, we have just given a sketch, and shall have occasion to speak again. We have also made mention, and shall have to recur to the next in point of consideration, Lord Broghill, afterwards earl of Orrery. To the other two, Murrogh, earl of Inchiquin, and Ulick, marquis of Clanrickarde, we shall here devote a few words.

Amongst the peerages conferred upon the Irish chieftains by Henry VIII., as rewards and honours, to recompense them for the resignation of their ancient rights and privileges, three* were allotted to the O'Briens of Thomond. Mur-

* The date of the patent is July, 1543. In the preceding month of June, the articles were formally entered into before the king in person at Greenwich, by which the descendant of Irish kings agreed to surrender the rank and superiority so long enjoyed by his ancestors. The articles are given in Lodge's Peerage, by Archdall:—(1st.) Utterly to forsake and refuse the name O'Breene, and all claims which he might pretend to by the same; and to use such name as it should please the king to give unto him. (2nd.) That he, his heirs, and the inhabitants of such lands as the king would please to give him, should use the English habit and manners, and to their knowledge the English language; and to their power bring up their children in the same. (3rd.) He and his sons to manure and till such of the said lands as should be meet for tillage, and cause houses to be built within a convenient time for proper tenants to improve the same lands. (4th.) He and his heirs to take no cess or other exaction, nor other yearly rent or custom, nor keep any gallowglass or kerne, but such as should content the deputy. (5th.) He and his heirs to be obedient to the king's laws; to answer his writs, precepts, &c., and to their power cause all the inhabitants to do the semblable, or else bring them to justice. (6th.) He and his heirs to answer and go with the chief governor, to all hostings and journeys, whereunto they shall be warned and assigned, in such manner and with such company as the marchers of the county of Dublin. (7th.) He nor his heirs to maintain or succour any of the king's enemies, rebels, or traitors. (8th.) To hold his lands by a whole knight's fee.—*Lodge's Peerage, by Archdall*, vol. ii. p. 27.

rogh, the head of the family, was made earl of Thomond during his own life, and baron of Inchiquin, with remainder to his heirs male; while Sir Donogh O'Brien, his nephew, and Tanist, was created Baron Ibrackan, with the right of succeeding to the earldom upon the death of its first possessor. There were, accordingly, for several generations successively, two peers in the family—the earls of Thomond, descendants of Sir Donogh, being the junior branch, though possessed of the higher title; and the barons, or, as they afterwards became, earls of Inchiquin, the issue of Murrogh, forming the senior branch.

It is a singular feature in the annals of this house, that unruly and contentious as its various members had been before their adoption of English usages and interests, they proved, after that transition had taken place, remarkable for their attachment to their new condition, as well as for the prudence with which they consulted their political advancement under it. Murrogh, the sixth baron, descending from his namesake the first earl of Thomond, and himself the first earl of Inchiquin, is the person we shall have to treat of further in this chapter. He was a minor when he succeeded to the title, and going abroad to improve himself in arms, served both in Italy and Spain; whence returning to Ireland in 1639, he took his seat in parliament, and was constituted vice-president of Munster the year after.*

Ulick, marquis of Clanrickarde, the last of these eminent cotemporaries, was descended from the original settler,

* At this period he evidently stood well at court. Lodge quotes a letter from the king to Wentworth, written during the course of this year, in which Charles I., referring to the plantations in O'Brien's district, says:—"Amongst other of our well affected subjects to our service in our kingdom of Ireland, we have understood by you the readiness which has been shown by Murrogh, baron of Inchiquin, to advance and further the plantation within our county of Clare, by submitting himself to our title there, in which respect we are pleased to extend our grace and favour to him, that he may not in course of plantation have the fourth part of his lands in that county taken from him as from other the natives there, but be suffered still to hold them upon such increase of rent as shall be set upon these quarters of land in that county, which are left to the several possessors, after our own fourth part shall be taken forth of them. Westminster, March 15th."—*Lodge's Peerage, by Archdall*, vol. ii. p. 49.

Fitzadelm de Burgh, whose title and possessions, it will be remembered, passed into the royal family after the murder of Richard, third earl of Ulster, in the year 1333. Amongst the consequences of that crime (it was instigated, according to all accounts, by the cupidity of his own relatives), was the assumption of Irish names and habits by the De Burgs of Connaught, who ceased for a long time to be considered a portion of the English interest. They were won back to their primitive state by Henry VIII., who made Ulick, of Clanrickarde, the first earl of that title. He had a son distinguished as Ulick Negan, or the beheader, because he collected together and made a mount of the heads of men slain in battle, which he covered over with earth; but the second earl appears to have been Richard, surnamed the Sassanach, or Englishman, who served the office of lord lieutenant. Richard's son and grandson took active parts in the trying events of their age, and were frequently selected by the crown for honours and grants of lands, in return for their military achievements against the Irish and Anglo-Irish. More eminent than either of these was Ulick, the fifth earl, and first marquis of Clanrickarde, and the friend of James, duke of Ormonde.

The tyranny of the Stuarts in England produced the commonwealth, and the protectorate of Oliver Cromwell; while in Ireland it excited the rebellion of 1641 and the eleven years' war of the Confederates. History is falsified when a contrary statement is hazarded, and a different cause is assigned for the convulsions which took place in the two countries; for it was not religion but oppression which drove the English, the Scotch, and the Irish to rise in arms against the family, so wrongful and yet so weak, by which they were then misgoverned. The current of events in the two islands, steadily and dispassionately surveyed, is plainly traceable to its source. We see in both the same provocation given, and a corresponding action resulting from it: we find no writer so unreasonable as to contend that the people were inspired to fight for their liberty by the genius of Protestantism, or of Presbyterianism, in the one

island—how monstrous, then, to pretend that they were made rebels by Roman Catholicism in the other! When the notorious misrule of Ireland is undeniable, why should we refuse to believe that, amongst the leaders of the revolt, there were men animated by the spirit we reverence in a Hampden, a Sydney, and a Russell? That bitter religious animosities should have been displayed during the heat of the encounter, will surprise no calm observer of the relative positions and predominant feelings of the belligerents at the period of the outbreak. For what was the state of religion? The bulk of the population adhering to the faith of their ancestors—a faith which it was highly penal to cultivate—groaned under accumulated wrongs, and were a prey to all the exasperation which intense sufferings, working upon the lowest state of ignorance and poverty, could engender. On the other side, by far the greater number of the Protestant prelates, according to the admission of Protestant writers, were "worldly and time-serving men"—"the Protestant clergy were generally very inefficient, uneducated, and demoralized, and inferior to the Roman Catholic priesthood in the zealous pursuit of their objects, and had turned a sacred vocation into a profession of aggrandizement." The Protestant laity "generally lived in a state of ignorance of their own doctrines, or of utter indifference to them, and of bigoted intolerance of those of others." They assumed "an offensive superiority over the Papists, grounded on the mere circumstance of their being the dominant party, but to which they were by no means entitled by any superior morality of conduct."* So far we see the train laid, and religion supplying the fire by which the explosion was kindled.

Let us next inquire the character of the governors under whose administration this rebellion took place. Strafford, abandoned by the king, for whom he had sacrificed himself, had lost his head on the scaffold; his friend and successor, Wandesford, had died suddenly; and in 1640 the adminis-

* "Life of Bishop Bedell," by H. J. Mason, LL.D., M.R.I.A., Librarian to the King's Inns, and Secretary to the Irish Society. 8vo. London: Seeley and Burnside. 1843.

tration of Irish affairs was in the hands of two lords justices, Sir W. Parsons and Sir J. Borlase, whom Leland writes of in these terms:—"They who looked more closely into their characters and principles, conceived, and not without reason, that they by no means wished to crush the rebellion in its beginnings, but were secretly desirous that the madness of the Irish might take its free course, so as to gratify their hopes of gain by new and extensive forfeitures. Nor did the deeper politicians scruple to insinuate that these cold and reserved governors acted by directions from the reigning faction in England."

And now, who were the leaders of the revolt?—who were the men, who seeing the English determined to pull down the king's government as an intolerable tyranny, and beholding the Scotch triumphant in the blows they struck for the protection of their own form of religion—who were the Irishmen who at this inspiriting moment made a fresh appeal to arms for the recovery of their personal rights, and the civil and religious liberties of their fellow countrymen? They were men—let us call them whatever we may, victims, rebels, or heroes—who were made what they were by oppression.

The first was Roger Moore, a descendant of the princely and once powerful sept, proprietors of the territory of Leix. The O'Moore, who died in the Tower, a victim to the treacherous policy of the government under Edward VI., and whose possessions, confiscated by Philip and Mary, had formed the Queen's County, was his ancestor. The family had thus become impoverished, and nearly extinct. But one of them, Roger, for a short time head of the rebellion of 1641, survived. He had been educated in Spain, where respect for his ancient lineage, and compassion for the severities by which their ruin had been effected, facilitated his introduction to the best society. His natural talents, a lively and generous disposition, and a courage worthy of the reputation of his country for valour, had thus been improved and refined. Hatred of England, and a swelling desire for the recovery of his rights, descending to him as a natural inheritance, were quickened by the pressure of pecuniary distress. In Spain he met with a

fellow-sufferer, who reciprocated all his regrets for the past, and his hopes of the future. This was the son of Hugh, second earl of Tyrone, who commanded a regiment, and was particularly favoured at the Spanish court. Two young men of spirit and ability, whose misfortunes, derived from a common origin, had led to the same effects, could hardly come together without soon agreeing upon some measures for the improvement of their circumstances. The obvious remedy was a descent upon Ireland, aided by arms and money from France, Spain, and Rome. The plan met with the encouragement expected for it, from the ministers of these courts; but it had scarcely been entered upon when assassination carried off Tyrone. At the time that loss was sustained Moore was in Ireland; but though deprived of his companion, Roger determined to proceed with the enterprise. He had applied for co-operation to Owen O'Neil, a near relative of his deceased friend, and a colonel in the service of the Low Countries. From that officer's influence at the court of France many advantages were anticipated, and they were ultimately obtained. We shall presently have to enlarge upon his exploits as a leader of the cause.

A conspiracy so long in preparation, and so extensive in its ramifications, could not be kept a profound secret: rumours of the intended movement spread amongst the numerous exiles whom the tumults of former days, forfeitures, and religious disabilities had driven upon the Continent. The love of country, the hope of regaining property, and the passion of revenge, led these men once again in numbers to the Irish coast. Vane, the English secretary of state, wrote to the lords justices that a host of Irish ecclesiastics had passed from Spain and other parts to England and Ireland, amongst whom were some good old soldiers, pretending to raise recruits for the king of Spain, but whose real purpose, according to the whispered opinions of the friars in that kingdom, was to levy another rebellion.

The moment Roger Moore avowed his objects, he kindled the natural enthusiasm of his countrymen into a flame. Appealing emphatically to their feelings, he reminded them of their past and present sufferings, and invited them to inflict

punishment for the one, and take efficient security against the continuance of the other. He promised that their country should flourish independently of England; that all the old families should again be aggrandized; and that fortune and honour should be the rewards of the individuals who should take part with him in the glorious undertaking. Promptly and warmly was this bold invitation re-echoed throughout the land, where every hand was held up, and every heart beat high to carry it forward. It is generally admitted that Roger Moore fully deserved the support of his fellow countrymen, and was excellently well qualified in many respects to sustain with effect the part which he had undertaken to perform. He was perfectly sincere; moreover, he was cautious and deliberate in his actions, penetrating and judicious in his views; graceful in person, and engaging in his manners and address. He was not only unquestionably brave, but had a high and gallant bearing, and was gifted with a fervid imagination, a humane and honourable temper, and a warm and most winning eloquence. Such a man agitating a cause so dear to the multitude, roused their ardour to the highest pitch, and soon became a universal favourite. His praises were on every tongue, his gallantry the burden of every song; while his name was the battle cry—which fair hands inscribed on the military standards of his followers—"For God, our Lady, and Roger Moore."

After he had spent some months on a personal canvass of the principal sufferers from Strafford's misrule, the insurrection was decided upon. His first associates were Maguire, Lord Enniskillen, more commonly called Lord Maguire, and Macmahon, who were the representatives of the old chieftains of Fermanagh; Sir Phelim O'Neil, who set up a claim to the earldom of Tyrone; Hugh, heir of the plundered Byrnes of Wicklow; Richard Plunket, the O'Reillys of Cavan, Sir Con Magennis, Sir James Dillon, and many others. These gentlemen began the rebellion of 1641; but before a year had elapsed they were joined by another party, consisting of Anglo-Irish peers, whose families were ancient, and whose properties were extensive. Amongst the latter were the Lords Mount-

garret, Mountnorris, Roche, Fingal, Gormanstown, Netterville, Castlehaven, Taaffe, and others.

Thus the rebellion of 1641 ran into the war of the Confederates, and both were but natural consequences of the injustice and impolicy of the local government. For at the rumour of an insurrection, Lords Gormanstown, Netterville, and a powerful party of peers, came forward and desired to be armed in defence of the country. Their offer, coldly received, was partially accepted in some instances, while in others it was positively declined. The peers and principal landowners were thus forced, ere long, where the great strength of the movement lay—into the ranks of the people.

Moore's plans having been maturely weighed, it was agreed that operations were to commence with the capture of the castle of Dublin, and a simultaneous rising throughout the country, by which all forts and strong places were to be suddenly seized together. Moore himself volunteered to lead the first attack, from which Maguire and O'Neil sought to absent themselves. It was eventually arranged that Maguire only should join him on that occasion, and that Sir Phelim should at the same time surprise Londonderry. But the intended blow was never struck. Owen Conolly, a drunken servant, who had been sent on some messages to Maguire, suspected treason and betrayed the plot. The peer and Macmahon were taken prisoners and sent to London, where they were tried for offences committed out of the jurisdiction of the court before which they were arraigned, and notwithstanding the indisputable illegality of the proceeding, were hung, drawn, and quartered at Tyburn. Moore and O'Neil were more fortunate: they effected their escape, and soon raised the country.

There is no portion of Irish history upon which more falsehood has been uttered than upon the affairs of the period we have now to glance at; and it is melancholy to observe that we can trace almost every misrepresentation by which they have been blackened to a religious cause. When the civil rights of the people and the enjoyment of property and office were made to depend on the profession of a particular faith, politics and religion went hand in hand, both in loyalty

and rebellion—while bigotry added her bitterness to the rancour of party prejudice. All the cotemporary writers were deeply imbued with the perverted feelings which these two dark passions necessarily engender, and there are but few authors at the present day who are not more or less infected by their influence; yet an impartial observer cannot fail to perceive, that if ever there was a justifiable rebellion, it took place in Ireland during the year 1641, and that religion was not its mainspring. The misgovernment of that country moreover had been much more galling and extensive than any experienced in England or in Scotland. In neither of these had the rights of persons and property been so shamelessly violated as they had been in Ireland; and yet while the language of respect always, and of admiration often, is fairly applied to the successful leaders of the revolt against monarchy in the sister country, abusive terms of contemptuous censure are too often heaped upon the men in Ireland, who at the same time strove to free themselves from oppression in one of its severest forms. No one dares to ascribe the parliamentary war of the commonwealth exclusively either to the Protestant or Presbyterian religion; but there are numerous revilers, who, lightly touching or wholly suppressing the civil and political wrongs out of which the war of the Confederates arose in Ireland, do not hesitate to ascribe all the enormities committed during the eleven years it lasted solely to the Roman Catholic religion. This is not the place to speculate upon the extent to which England and Scotland might have tamely submitted to the tyranny of the Stuarts, but for the puritanical spirit by which their age was animated. It may, however, be fairly observed, that the victory would not have been so soon or so effectively gained, had the men who fought for it been warmed by a less ardent fire than is kindled by religious enthusiasm; but freely as this is to be admitted, it is also plain that the soldier citizens of the commonwealth had other motives to resist the government; and it would be as unfair to put these out of view when estimating the justificatory circumstances connected with their proceedings, as it is manifestly a perversion of the truth to assign to the corresponding Irish struggle no other

grounds than those furnished by the religious view of the question.

A false colour is also given to the transactions of this period, by representing that the conduct of the whole Roman Catholic population, as well as of their officers and soldiers, was uniformly cruel and savage; and by not adding that the offences, however monstrous, committed by them, were equalled if not exceeded by the English and the Scotch, by the Protestants and the Puritans. The facts display a revolting aggregate of indefensible atrocities perpetrated on both sides without shame or remorse; but the grateful instances in which Protestant authors record acts of forbearance and protection upon the part of the Roman Catholics are so numerous and touching,* that no unbiassed reader can read them, and resist the belief that the crimes of the period were redeemed by the display of not a few glowing virtues amongst the native population.

Moore and O'Neil were soon at the head of armed bodies in the North: the former counted 2,500 men—while posted between Dundalk and Atherdee; the latter, it is said, gathered as many as 30,000. But these were unarmed and undisci-

* Amongst these, particular notice is due to the preservation of Bishop Bedell from violence, when the whole county of Cavan was in the hands of the insurgents. He was known to be a strict Protestant, but being a kindly and truly pious man, he was called by the common people "the good Protestant." Such was their sense of the debt they owed to the prelate who had not been an extortioner or a persecutor, that his residence was respected, and, by common consent, allowed to be a sanctuary to the English and Protestants of the district. He died while the disturbances were still raging, and the insurgent force attended his funeral, and paid military honours to his grave. This is not a solitary anecdote. In 1641, Edmund Burke had undertaken to convey Dr. Maxwell, the Protestant bishop of Kilmore, together with several clergymen of the establishment and other settlers, from the village of Shrule, in Mayo, to Galway. But the party had barely crossed the bridge of Shrule, when, according to the depositions given in Lodge, a shot was fired from behind the bushes, and Edmund Burke drew his sword, and the examinant riding back to the bridge with the bishop's child, way was made for him by Walter Burke. The bishop was wounded, and 30 persons according to one, or 65 according to another account, were slain. The Roman Catholic gentry of the neighbourhood no sooner heard of this outrage than they hastened to rescue and relieve the sufferers. At their head came Bryan Kilkenny, guardian of the neighbouring abbey of Ross, an aged man, who brought the bishop's wife and children, and many others, to his monastery, where they were hospitably entertained to the best of his ability, for several nights.

plined—a tumultuary mob, full of vain confidence in their numbers, but as a body wholly unimpressed with that stern determination to die rather than to submit, which alone could have given victory to such a cause. Moore's manifesto was a moderate and skilful production. He complained of oppression, but acknowledged that there had been indulgence shown in matters of religion; he set forth the fears which they all had reason to entertain of the Scotch "landing with sword and Bible," for the extinction of the Roman Catholic religion; he insisted that designs were practised against the Papist and Protestant bishops of the kingdom; and he proposed that the king should secure them both. * Still better than his own compositions and proceedings was the effect produced in his favour by the conduct of the lords justices.

These men, it is to be remembered, were devoted to the party of the commonwealth in England. They were, therefore, well disposed to thwart the measures of the Irish lords and gentlemen, who, if their particular grievances had been accommodated, would have immediately ranged themselves on the side of the government. After many importunities from this party, a parliament was summoned; but the justices no sooner found that there were not a few members resolved to suppress the rebellion, and also to inquire into and correct the misgovernment out of which the rebellion had sprung, than they called for votes, authorizing them to levy forces and raise money for the defence of the country; and having obtained these in two days, they put an end to the session.

The principal peers and landlords, feeling that it would be vain to seek in Ireland for the aid which the circumstances of the country demanded, sent a memorial to the king, remonstrating against the misconduct of the lords justices, urging the appointment of the earl of Ormonde as lord lieutenant,

* This was not the only document put forward to justify the act of appearing in arms against the government. Sir Phelim O'Neil exhibited a commission to levy troops, which purported to bear the royal signature and the great seal. The authenticity of this instrument is disputed to this day. Whether forged or genuine, it proved highly serviceable to the cause of the insurgents, by leading to a general belief that the war had been undertaken with the king's knowledge and approbation.

and the employment of military rigour to quell violence, together with legislative remedies to quiet just discontents. But the two lords, Dillon and Taaffe, who were the bearers of this document, were seized at Ware, and after having been deprived of their papers, were kept in prison for some months. While the envoys of the moderate party were thus intercepted, the emissaries of Parsons and Borlase made their way to London, and denouncing the representations of the peers as malignant, self-interested, and unworthy of attention, protested that no force levied in Ireland, or commanded by Irishmen, was to be trusted; that an English army alone could keep the country in order; and that if sent over, as they desired it might be, they would undertake to cover, by confiscations, the charges and expenses it would occasion. This counsel—for the correctness of which Carte is our authority—prevailed; and the lords of the Pale, as they were called, soon took their places in the ranks of Roger Moore.

A meeting was held at the Hill of Crofty, which was attended by Lords Fingal, Gormanstown, Slane, Dunsany, Netterville, Louth, and Trimbleston, with 1,000 of the gentry of the county of Meath. Roger Moore, Colonel Macmahon, brother to the chieftain executed in London, and other leaders of the insurgents attended on this occasion. The lords rode forward to meet them, and asked why they had entered the Pale in arms? Moore replied that they were armed in defence of the king's prerogative, which had been invaded, and to vindicate liberty of conscience. Are these, inquired the lords, your genuine designs?—have you no private ends of your own? Moore protested that they had none; upon which the lords declared that theirs were common interests, and that they would join to maintain them. Thus began the war of the Confederates—produced, it is clear, by an insulting denial of justice to the principal men in the country.

Moore's cause was strengthened, but his personal influence was diminished, by this accession of numbers, rank, and property to his ranks. In the new distribution of commands which the presence of so many eminent men rendered necessary, he ceased to be recognised as the prime mover of the

revolt. Perceiving his position no longer as high as his enthusiasm coveted; mortified by the clashing interests and personal jealousies which abounded in so mixed a party; shocked by the horrors which the cruelties on both sides seemed to accumulate on his head; and chagrined by the slow progress of the cause; his health and spirits drooped, and he retired in discontent to Flanders. When the supreme council was afterwards established at Kilkenny, he returned; but men of inferior minds filled all the principal offices; his first ardour never revived; he fell ill, and soon after died of disappointment and mortification. His qualities and conduct have been commended by all impartial writers. He brought to the struggle an enthusiasm and valour chivalrous and humane in the highest degree, and so little hardness of character, as to be deficient in fortitude and perseverance. His was that peculiarly Irish temperament, equally sanguine and sensitive; prompt to venture upon great undertakings without making due provision for inevitable consequences; and prone to sudden despair, under the pressure of those reverses which so often embarrass the progress of a cause, without being decisive obstacles to its ultimate success.

There have been not a few angry disputes raised for the sake of determining which of the two parties who were now belligerents, set the example of ferocity, by which this cruel struggle was so deeply stained. Some blame the Irish, and some the English; some Sir Phelim O'Neil, and some Sir Charles Coote, as the first monsters who dealt in cold-blooded massacre and lawless executions. But the point is not worth discussion; first, because there is room to doubt whether he who begins a wrong, or he who by retaliating perpetuates it, is the greater offender against humanity; and secondly, because in the long run the guilt on both sides became extreme and indefensible. The savage character of the war may be said to have been decided by the proclamation of the lords justices when Ormonde took the field. The orders then given were "to kill and destroy the rebels, their adherents, and relievers; and to burn, waste, consume, and demolish all the places, towns, and houses where they had been relieved and

harboured; with all the corn and hay there; and also to kill and destroy all the men there inhabiting, capable of bearing arms." When we know that these appalling directions were acted upon, it is idle to talk of the slaughter committed by O'Neil, or of assassinations committed by the peasantry. The English government, as the body claiming superior strength and civilization, should have shown the higher example. When public massacre was sanctioned by that authority, private murders became the expedient by which an outcast population, made desperate by the fear of extermination, would hope to deter their tyrants from carrying their decrees into full effect, and seek to obtain a guilty satisfaction for the portion which had been put into execution.

Painful as it is to dwell upon such scenes, it is necessary to vindicate our description of them by particularizing a few, which, for obvious reasons, have been selected from Protestant writers. When O'Neil was repulsed from the castle of Augher, he ordered all the British Protestants in the three adjacent parishes to be put to the sword. After his defeat at Lisburn his followers murdered Lord Caulfield. They exulted in goading gangs of prisoners into some large house, and setting it on fire, indifferent to the cries and the agonies of their victims. One hundred and ninety British are said to have been thrown headlong, on one occasion, from the bridge of Portadown. On the other side, Dr. Borlase, brother of the lord justice, and the apologist of his administration, quotes with evident satisfaction, from a letter of Sir W. Cole, this brutal item:—"Starved and famished, of the vulgar sort, whose goods were seized by my regiment, 7,000." The Scotch garrison at Carrickfergus, animated by a deadly hatred of the Irish, and their religion, issued forth, according to Leland, under the cover of night, and marching into an adjoining district, called Island Magee, and inhabited by a number of poor and unoffending Irish, who had never taken any part in the prevailing disturbances—shed the blood of 30 families. The same diligent author, describing the recapture of the Wicklow forts by Sir C. Coote, says:—"This man was employed by the chief governors to drive some of the insurgents

of Leinster from the castle of Wicklow, which they had invested. He executed his mission, repelled the Irish to their mountains, and in revenge of their depredations, committed such unprovoked, such ruthless and indiscriminate carnage in the town, as rivalled the utmost extravagance of the northerns. This wanton cruelty, instead of terrifying, served to exasperate the rebels, and to provoke them to severe retaliation."

An endless variety of similar passages occur in the different authors who have related or discussed the affairs of this unhappy era. Their computations of the number of persons killed during it, are to the full as exaggerated as any of the conflicting statements respecting the excesses themselves by which we are confused. Upon this subject, the authority of Sir W. Petty, a writer by no means partial to the Irish, seems to be the safest to rely upon. He says, that in 11 years, from 1641 to 1652, above 500,000 of the Irish perished by the sword, plague, famine, and hardship, and that in the same space of time 112,000 English were destroyed in the same manner: according to this account, therefore, five times as many Irish as English perished in the rebellion of 1641.

One point at least seems to be generally admitted. When the lords of the Pale entered into the fight, the rules of honourable war were restored to a great extent. Battles were fairly fought afield; and on their side, at least, towns were no longer plundered, and butcheries ceased. Their first leader was Richard Butler, third Viscount Mountgarret, a cadet of the house of Ormonde, who had married the earl of Tyrone's daughter. He sat in the parliaments of 1613, 1615, and 1634. Upon surrendering to James I. the special livery of his estates, he obtained a confirmation* of them in consideration of his

* The date was January, 1619, and the instrument provided for the creation of the several manors of Bealaragged (Ballyragget), alias Donaghmore, Cowlechill, Kenlis, Ballin, otherwise Balleyen, Urlingford, and Mountgarret, with power to hold courts; to impark 2,000 acres, with free warren, and chace; liberty of tanning leather; and to hold a Thursday market and two fairs on the feasts of St. Barnabas and Bartholomew, and the day after each at Ballyragget. Also, 9 January, 1621, he had a further confirmation thereof by two patents; and by virtue of the commission of grace, K. Charles I., for the fine of £270, February 9, 1638, released to him all his lands in the counties of Kilkenny and Wexford, confirming the aforesaid privileges.—*Lodge's Peerage, by Archdall*, vol. iv. p. 52.

faithful and acceptable services. At the outbreak of the rebellion he was associated, on account of his years and experience, as joint commissioner with Lord Ormonde for the county of Kilkenny, and was so little disposed to take the course which he afterwards adopted, that he offered to raise and arm 1,000 men at his own expense, and march at their head against the insurgents. When at last the mistrustful policy of the government drove him into their ranks, he vindicated himself to Lord Ormonde, desiring him to acquaint the lords justices with his remonstrance, in order that, by a fair redress of the grievances which had brought the country into a state of general commotion, they might prevent the fearful calamities otherwise sure to occur. "It is not my case alone," he emphatically observes, "but the case of the whole kingdom; and it hath been a principal observation of the best historians, that a whole nation, how contemptible soever, should not be so incensed by any prince or state, how powerful soever, as to be driven to take desperate courses."

Following up this letter with a public proclamation, justificatory of the step he had taken, and commanding his followers to respect life and property, he advanced upon Kilkenny with a long train of connections and gentlemen, and made himself master of the towns of Callan, Gowran, Waterford, Carrick on Suir, Dungarvan, Clonmel, and Fethard. This was the work of a week; and so orderly was the manner in which it was performed, that rebellion, in his hands, seemed to be deprived of its usual horrors. Only one act of impropriety is here charged against the party: nine Englishmen were locked up at Fethard, where their property also was seized, but restored the next day by Lord Dunboyne, who set the prisoners at liberty. Advancing into the county of Cork, Mountgarret besieged the castle of Knockordane, which capitulated quickly. The whole of Munster now seemed destined to fall into the hands of the Confederates, when, fortunately for the English interest, Roche, Lord Fermoy, a nobleman of considerable possessions, became jealous of Mountgarret's power, and insisted upon being recognised as commander-in-chief in his own county. The dissensions thus created put a stop to active

operations, and gave the lord president, Sir W. St. Leger, time to concert measures with the Boyles and others, and to put the province into a state of defence.

While the military energies of the Confederates received this check in the South, their allies in the North had proved unequal to the task of retaining their first advantages. Charlemont Castle, Dungannon Fort, Mountjoy Castle, Tanderagee, Newry, and Lurgan, had been succcessfully occupied; but O'Neil had been compelled to retreat from Drogheda, after a long siege, in which he gave no proof of talent as an officer, and his forces displayed no vigour worthy of their numbers, or the service on which they were engaged. Ormonde by degrees came more effectively into the field. Though not the last, he was still by far the greatest of the old settlers; and by his eminent position and personal character, drew around him an influence which, in a manner, constituted him one of the governing powers of the period in which he flourished. Thus, again, we find the history of the whole country centering in the biography of an Anglo-Irish peer.

Ormonde at first found it difficult to act as he desired. He was at variance with the lords justices, who sought to improve the interests of the English parliament, while his only object was the king's service. His commission as commander-in-chief, held directly from the king, rendered him independent of their authority when in the field, but he could only undertake expeditions pursuant to their instructions, and could derive from them alone the men and the money necessary to prosecute them with effect. The gallant army of 8,000 men and 1,000 horse, which Strafford marched upon Carrickfergus before he left Ireland, had ceased to exist. When the war began, the government force was under 1,000 horse and 3,000 foot. There were arms, however, in the castle of Dublin for 10,000 men. But there was no money to pay that number, if levied, nor were the lords justices willing that the levy should be attempted. Ormonde's abilities as a general were not considerable, but it would be unfair to test them by the dilatory and unsatisfactory achievements of this period. He was not a free agent. He scattered two disorderly ma-

rauding armies at Naas and Kilsalagan Castle, and then proceeded to execute, "upon moderate terms," the proclamation of the lords justices against the villages which were known to have been in concert with the insurgents. It was while he was engaged on this ignoble service that O'Neil raised the siege of Drogheda. Ormonde proposed to pursue the retreating foe, but the lords justices forbad him to cross the Boyne. He returned therefore to Dublin; and the insurgents, also retracing their steps, resumed their positions at Drogheda, Atherdee, and Dundalk.

While the lords justices were indulging their favourite policy of sending out strong detachments under Ormonde, Coote, and other officers, to waste and burn the lands and tenements of the persons who were absent from their homes in arms, the Confederates advanced from Kilkenny under Lord Mountgarret. They mustered 8,000 infantry, and several troops of horse. Ormonde came in contact with this force at Kilrush, near Athy. According to Carte, his army, consisting of the volunteers under Lord Brabazon, together with the divisions of Sir C. Coote, Sir T. Lucas, Sir H. Willoughby, and Sir C. Grenville, did not exceed 3,000 men. But notwithstanding this remarkable disparity of strength, he won an easy victory. The troops of the Confederates are described as giving way without a blow, and rushing from the ground in such tumultuous confusion, that 700 of them were slain, while Ormonde only lost 20 men. In the published account of the rout sent by the lords justices to the English parliament. the earl is introduced as "ordering the battle, and manner of fight in all parts of it, and doing it with very great judgment, laying hold quickly and seasonably on all opportunities of advantage that could be gained, and sparing not resolutely to expose his own person to hazard, equally with any other commander."

At Kilrush, Mountgarret was taught how feeble undisciplined numbers are sure to prove when opposed to regular troops. Roger Moore, who led a body on the occasion, was deeply mortified at the result, and read in it the doom of his party. The affair illustrates, by a strong example, one main cause of that remarkable want of success by which Irish

insurrections and revolts, however cruelly provoked or hopefully begun, have invariably been attended. The people of a country may rise great in numbers, individually brave, and powerfully excited; but if they are unaccustomed to the use of arms and military exercises, they cannot possibly defeat a trained army, efficiently equipped, and commanded by officers who understand the art of war.

It was at this moment that a new power made its appearance in the midst of the Confederates, and inspired their drooping ranks with new hope and reanimated courage. In the month of May, 1642, the dignitaries of the Roman Catholic church held a synod at Kilkenny, in which, after declaring the war just and lawful,* they called upon the clergy, nobility, cities, and principal towns, to choose provincial councils; and one supreme council, in order to give authority and

* The first of the acts ordained and concluded by this congregation may be taken as the manifesto of the Irish people, civil and religious: it was thus expressed:—"Whereas the war which now in Ireland the Catholics do maintain against sectaries, and chiefly against Puritans; for the defence of religion, for the maintenance of the prerogative and royal rights of our gracious King Charles; for our gracious queen, so unworthily abused by the Puritans; for the honour, safety, and welfare of their royal issue; for to avert and refrain the injuries done unto them for the conversion of the just, and lawful safeguard, liberties and rights of Ireland; and lastly, for the defence of their own lives, fortunes, lands, and possessions; whereas this war is by the Catholics undertaken for the aforesaid causes against unlawful usurpers, oppressors, and their enemies, chiefly Puritans, and that hereof we are informed, as well by divers and true remonstrances of divers provinces, counties, and noblemen, as also by the unanimous consent and agreement of almost the whole kingdom in this war and union. We therefore declare that war, openly Catholic, to be lawful and just; in which war, if some of the Catholics be found to proceed out of some particular and unjust title, covetousness, cruelty, revenge, or hatred, or any such unlawful private intentions, we declare them therein grievously to sin, and therefore worthy to be punished and refrained with ecclesiastical censures, if, advised thereof, they do not amend," &c. The council of Kilkenny echoed the declaration of the bishops in all its principal points, adopting the common law of England, so far as it was not repugnant to their religion, or to the liberties of Ireland; upholding the authority of Charles, but not that of his Irish government; repudiating all distinctions between new and old Irish, and between British and Irish Catholics; agreeing to maintain the rights of the Roman Catholic Church—but rejecting a clause in which it was proposed that every confederate should bind himself by an oath not to consent to any peace until the church of Rome was restored to the plenitude of its former powers. Instead of this extreme condition, they had the good sense to stipulate simply for freedom of worship.

effect to the proceedings already commenced, and a form of government to their party in the country. This invitation having been promptly answered, the council sat, and declared Lord Mountgarret president.* In the month of May, Colonel Owen O'Neil, a general experienced in courts and skilled in war, reached the shores of Donegal with arms, ammunition, and 100 officers; two ships soon after landed a quantity of military stores at Wexford; a ship of war and two frigates brought over Colonel Thomas Preston, a train of artillery, a company of engineers, and 500 officers. Ere long, Cardinal Richelieu sent over 12 other vessels, with further stores and soldiers; and at last it seemed as if the struggling rebellion was destined to become a revolution. The supreme council selected the respective commands of the generals in chief: Owen O'Neil was appointed to Ulster; Preston to Leinster; Garret Barry to Munster; and John Burke to Connaught. The last province was intended for Lord Clanrickarde, but he refused to join the party. His place was, ere long, well supplied by the earl of Castlehaven.†

Colonel O'Neil began his career with the spirit of an accomplished soldier. Upon placing himself at the head of the Ulster gentry in arms, he declared his horror of the robberies and

* Cox gives the names of the supreme council as follows:—
Leinster: Archbishop of Dublin, Viscount Gormanstown, Viscount Mountgarret, Nicholas Plunket, Richard Beling, James Cusack.
Connaught: Archbishop of Tuam, Viscount Mayo, bishop of Clonfert, Sir Lucas Dillon, Patrick Darcy, Jeofry Brown.
Munster: Viscount Roch, Sir Daniel O'Brien, Edmond Fitzmorris, Doctor Fennell, Robert Sambart, Geo. Comyn.
Ulster: Archbishop of Armagh, bishop of Down, Philip O'Reyley, Col. Macmahon, Ever Magennes, Torlogh O'Neal.

† The case of this nobleman furnishes another striking example of the manner in which royalists were made rebels by the ill treatment of the lords justices. Castlehaven was an English as well as an Irish peer. At the outbreak of the insurrection he tendered his services to the government—which were refused. He then applied for a passport to England, which was also refused. He next received an order to leave Dublin, which he obeyed by retiring to his estates in the county of Kilkenny. There the Anglo-Irish driven from their settlements found an asylum, and Ormonde and his officers hospitable entertainment after the battle of Kilrush. The lords in arms soon after applied to him to act as a mediator in their behalf with the government, and he transmitted their remonstrances to the lords justices, who returned him by way of answer a sharp rebuke upon the impropriety of corresponding with rebels. This led him to renew his application for leave to return to England, which was again

murders with which the war had been conducted in the North, and burned the dwellings of a band of villains at Kenard, who had made themselves infamous by their outrages. As a minute description of the varying fortunes of the war does not fall within the scope of these outlines, we can only relate, in a general way, that O'Neil was feebly opposed by Colonel Munroe, an able officer, commanding a parliamentary force of 10,000 Scotchmen at Carrickfergus, but bent upon aiding the policy of the lords justices, and therefore less disposed to put down the insurrection than to defeat any movement by which the king's cause could be benefited.

Ormonde fell ill in 1643, and feeling his life in danger, bethought him of seeking compensation from the king for the sufferings and losses he had borne in the royal cause. Carte prints his letter written upon this occasion. In it he describes his pecuniary embarrassments, and goes so far as to put in a direct claim for a share of the forfeitures which this rebellion, like all others, was expected to produce. This undignified act reminds us of the old characteristics of a family always attentive to its worldly interests, and sure to provide for an extension of its property by making out a good case at court. The communication becomes peculiarly significant when the juncture at which it was produced is considered. The lords justices were now seeking to quiet the clamours of their officers for money, and to console them under the severe privations they were enduring, by sending round a book and obtaining subscriptions to an agreement, by which it was stipulated that, in lieu of pay and arrears, the army should take portions of the rebels' lands when declared to be subdued. The marquis condescended to enter into competition with these

denied. Legal proceedings were next brought against him: they began with a charge of horse-stealing against one of his servants, and rose into an impeachment of high treason against himself. As soon as he found himself accused, he hastened to vindicate his innocence in Dublin, and was thrown into prison. His brother, Colonel Touchett, who was in England, demanded of the king that he should be tried by his peers; the king referred the demand to the parliament, and the parliament refused to act without the king's directions. After suffering an imprisonment of twenty weeks, he effected his escape, and fled to Kilkenny, where he was received with open arms by the Confederates.

buccaneers, telling the king that his estate "was rent and torn from him by the fury of the rebellion, and nothing left to support him and his children; that if his majesty did not in his abundant goodness think of some course how his many and great debts (a great part of which had been contracted in his service) might be satisfied, his house and property must of necessity sink under their weight and the interest growing upon them, which would in a short time exceed the debts." As a help towards their payment, or at least, as a means to prevent their increasing, he besought his majesty to grant him, or if he died of that sickness, his son, Lord Thurles, so much of the tenements and hereditaments in the city and suburbs of Kilkenny, as should accrue by forfeiture and owed rent or service to him or his wife. These, he adroitly adds, were conceived to be in the king's free disposal, and not within the intent of the late acts in England, which seemed to comprehend only lands to be admeasured, and not houses.

Renewed health restored Ormonde to a better tone of mind, and prompted him to more creditable services. He was now a marquis, and receiving a new commission as lieutenant-general of the army, was authorized to treat with the Confederates, and yield them such terms as he deemed advisable. Unfortunately for the country, he was not liberal enough in the matter of religion to meet the exigencies of the crisis, while he was so far honest as not to make a positive promise of conditions which he did not mean to observe. The king, whose danger in England was becoming more and more critical, importuned him in the months of April, May, and July, 1643, to adjust his differences with the Confederates; but he purposely avoided a cessation of arms. The Catholic lords were willing to accept his offers; not so, however, the native Irish headed by Colonel O'Neil, who, while the former body suspended operations to treat, pushed on hostilities with unabated vigour. It was owing to these different causes that Ormonde's first commission was not acted upon—another commission being sent over, the Confederates met him again, and terms being agreed upon and published, the party undertook to raise 10,000 men for the king, and to pay him

£30,000 by instalments during the course of the year. A cessation of arms for the same period was then proclaimed.

After this arrangement had at last been come to, another advantage was gained for the king's cause, from which much was at first expected, though nothing was ultimately derived. The earl of Leicester, who, residing in England, had been lord lieutenant all this time, was induced to resign in 1644, and the marquis of Ormonde was immediately sworn into his office. Borlase and Tichbourne, the successor of Parsons, now ceased to rule; the friends of Charles had the government wholly in their own hands; and the horizon, for a moment, seemed to grow bright before them, but it was soon overclouded.

Amongst the more eminent royalist officers who had hitherto served in the South of Ireland, was O'Brien, Lord Inchiquin, vice-president of Munster, who gained the battle of Liscarrol in 1643. Availing himself of the cessation of arms to visit England and seek promotion, this nobleman paid his respects to the king in person, and claimed to be appointed lord president of his province. But the place, as usual, had been promised to an Englishman, and was now given to the earl of Portland. Inchiquin, though an Irishman, was a Protestant. Irritated by this disappointment, he turned to the parliamentarians, and, finding them willing to gratify his ambition, resolved to espouse their interests. He had signed the minute by which the privy council had called upon Ormonde to enter upon a cessation of arms, but he now denounced and broke the agreement. Boyle, Lord Broghill, joined him in this step; and it soon became manifest that the royalists had sustained a severe loss. Raising 12,000 men, they drove the Roman Catholic magistrates and inhabitants out of Cork, Youghal and Kinsale. Inchiquin, during the course of the ensuing year, reduced Rostellan, Castlemartyr, Barrymore, Imokilly, Dromana, Cahir, Fethard, and Cashel. This last place he carried by storm, and with a fury so savage as to batter the venerable cathedral into a ruin, and slay twenty priests on its altars. By far the most important of his achievements was the subsequent defeat of Lord Taaffe, at

Knocknoness, near Mallow, where 3,000 Confederates were killed.

The confusion of affairs was now extreme. The king, looking upon Ireland as his last resource, and convinced that the leading Confederates were sincerely attached to his cause, instructed Ormonde to perfect the treaty contemplated by the cessation of arms. But terms with the Papists were deemed wickedness by the English parliament, and not desired by Ormonde; while the Pope prepared to dispatch the nuncio Rinuccini to insist, in the event of their being concluded, upon suitable provisions for the church of which he was the head. Rinuccini was furnished with a sum of £12,000, half of which was expended in arms and stores, and half placed in the hands of General O'Neil. Henceforward we are to consider the Confederates as a divided body. O'Neil commanded the high church party amongst them; and being well supplied with money, stores and arms, kept the field with credit, ultimately gaining one of the few battles fought during the course of the war, in which large forces were fairly opposed, in which the courage displayed on both sides was honourable, and military talents of a high order were displayed by the commanding officers. This was the battle of Benburb, which, however, was not fought until the year 1645. The place is six miles from Armagh, and memorable in Irish history as the scene of other bloody actions. On this occasion, Lord Montgomery, 21 officers, and 180 men, were made prisoners, while 3,248 of Munroe's army were left dead on the field, besides many slain on their retreat next day.

Thus there came eventually to be four distinct parties to the contest, each animated by strong opinions supported by an armed force. There was the king's party, represented by the Lords Ormonde and Clanrickarde. There was the party of the Anglo-Irish, represented by the Lords Mountgarret, Castlehaven, and others whose names have already been incidentally mentioned. There was the party of the native Irish, led by Generals O'Neil and Preston, under the immediate councils of the nuncio Rinuccini; and there was the party of the English parliament, represented

by Generals Munroe and Coote, under the direction of the lords justices. This classification enables us to distinguish clearly the shades of opinion by which the four bodies were respectively actuated. Religion evidently kept three of them apart, who would otherwise have been united. Ormonde was devoted to the king and the Protestant church; the Anglo-Irish were also attached to the king, but in arms to secure their rights under Magna Charta, as well in the matter of property as of religion; the native Irish stood in the same category, and therefore co-operated with the Anglo-Irish, though they are at times found counteracting their proceedings, because more directly under the influence of the see of Rome, and thus less willing than their allies to confide in the amicable professions of the English court. The lords justices and the armies under Munroe and Coote sustained the principles of the commonwealth in politics, and of the Puritans in religion. If Charles therefore could have accommodated matters between his Protestant and his Catholic subjects in Ireland, the whole country would have been banded on his side; for, with the exception of some Scotch settlers and official intruders, the Puritans cannot be said to have possessed indigenous strength or influence.

The year 1644 had been wasted in a variety of missions and negociations, which, extending without effect from England to Paris, Rome and Madrid, left Ormonde's government environed by difficulties much more formidable than he was able to subdue or control. It was now clear that he was unequal to his position—a man of respectable but not of superior talent, who took a fair but not an enlightened view of Irish politics. Had the Confederates been the only discontented men in arms, he might have restored peace, for their moderation was equal to his own. This, however, was not the season of temperate remedies, temporary expedients, or partial compromises. Opposite extremes were extravagantly pursued by two parties in the rears of the Irish loyalists and the confederated Catholics. These were the puritan parliamentarians and the sustainers of the Pope's supremacy; and nothing short of a genius of the highest

order—capacity to invent, and courage to execute original measures of commanding force—could suffice to tranquillize the raging elements of a storm which was as new as it was violent. The marquis of Ormonde did not possess these eminent qualities; and ere long, worn out by a labour which he felt to be impotent, he sought to rid himself of the power he had so long been struggling to acquire, and was unable to maintain with satisfaction to himself or with benefit to his country or his sovereign. Imminent and daily increasing as were the dangers by which he was threatened, he added not a little to their perplexity and intenseness. He belonged to that fair spoken but reserved class of politicians, who, although they deem it wrong to mislead either their followers or their opponents, are not unwilling to derive a political advantage, by allowing either of those parties to deceive themselves. Before a suitable opportunity presented itself for taking any decided steps, he found the discontent produced by his own reserve immeasurably aggravated by the unscrupulous dissimulation of his sovereign. Charles had commenced his reign by breaking faith with the Irish, and, as if determined to end it in the same spirit, he now resorted to a flagitious piece of deceit. When all his hopes of accommodating matters in England had failed, he determined, as a last desperate resource, to throw himself into the arms of the Irish Catholics. Had he taken that resolution at an earlier period, he might have saved his life and the monarchy. Even now the chances of success to which it opened his longing eyes were destroyed by the unsurpassable duplicity with which he acted,—a duplicity the less excusable, because the conditions required of him were both moderate and just.

The respective pretensions of the Protestants and the Roman Catholics had been formally laid before him when the cessation of arms was agreed to. Then, as now, there was no room for a controversy respecting the real points at issue between the contending parties. The Catholics demanded that they should be free in the matter of religion, and, as a necessary consequence, that the penal laws should be repealed; that the Irish parliament should be free; and again, as a ne-

cessary consequence, that Poyning's law should be suspended during its sessions; that there should be proper seminaries established for the education of the Catholic clergy and lawyers; that there should be an act of general pardon and oblivion, coupled with a reversion of all attainders issued against those who had taken part in the war; that no person should sit in the parliament of Ireland, who had not an estate and residence in Ireland; that the parliament of Ireland should be independent of the parliament of England; that no person should retain the office of chief governor for a longer term than three years, and that no chief governor should be permitted to acquire new lands during his term of office; that parliament should inquire into all breaches of contract and all acts of inhumanity committed upon both sides during the war; and that all persons guilty of either of these crimes should be excluded from the proposed act of pardon and oblivion, and be punished in due course of law.

On the other side, the Protestants demanded that all penal statutes should be enforced against recusants; that all Catholics should be immediately disarmed; that all offences committed by recusants should be strictly punished according to the statutes; that all estates forfeited during the administration of Parsons should be vested in the crown; and that after the claimants upon them had been satisfied under the recent acts of the English parliament, the residue should be distributed amongst British planters.*

It is superfluous to remark of these two schemes for the settlement of Ireland, that the one was dictated by the spirit of liberty, and the other by the spirit of tyranny; that upon the side of the Catholics, who formed the majority of the population, not in point of numbers only, but in point of property also, a moderation was displayed proportioned to their strength;

* Even in Cox we find a confession of the "offensive height and the unreasonableness" of the proposals made by the Protestant agents. They were strongly condemned by Usher, then bishop of Dromore, and by others, who told the commissioners that the propositions they had presented did not express the sentiments of the Protestants of Ireland—that if not withdrawn, they would prejudice the king and his ministers to posterity; and that it would be impossible to grant their desires and obtain peace. But the fanatics were appealed to in vain.

while the opposite party were immoderate in proportion to their weakness. This was a critical hour in the progress of the king's fate: a firm decision and prompt action might have availed to turn the flowing tide of events in his favour; but he vacillated, and was lost. Accepting nothing, and rejecting nothing, he referred everything to negociation and intrigue, in which he sought to blind all parties as to his real intentions, and laboured with profound insincerity to reserve eventually to himself the means of keeping or breaking his faith with every one, as he might find it most convenient.

The full extent of Charles's guilt is to be detected in the earl of Glamorgan's mission. Finding no improvement produced in the state of affairs by the increased powers conferred upon Ormonde, he sent Glamorgan to Ireland, commissioned to make two treaties with the armed Catholics—one private, and the other public. This mission was fully executed; and it is enough to observe of it, that the private treaty made two additions to the demands of the Confederates already enumerated: the one providing that Protestants and Catholics should pay tithes to their respective clergy; and the other that the churches should remain in the hands of those who then held possession of them. Accident led to the discovery of this proceeding: a copy of the treaty was found in the baggage of the Roman Catholic archbishop of Tuam, who had joined in an unsuccessful attack upon the town of Sligo. The document was transmitted to the English parliament, and was no sooner published by that body, than it was repudiated by the king, who denied that he had given Lord Glamorgan any authority to conclude it. At the same time he ordered the Irish privy council to make the earl a prisoner; which was accordingly done.

Strong as this language and proceeding were, the evidence is abundant and convincing, which proves that Charles, throughout the whole transaction and long afterwards, played a foul game with all parties, and was eager to go to any lengths with the Catholics by which he could have served himself. His own letters are the documents upon which he stands clearly convicted in this respect. In the first place, while publicly surrendering Glamorgan to be dealt with by the Irish

privy council, he wrote privately to Ormonde, who, as lord lieutenant, had the power of acting upon their decision of the case, "to suspend the execution of any sentence until he (the king) should be fully informed of all the proceedings. As to the next and the most material point, namely, the instructions given, warranting Glamorgan to yield unreserved terms to the Roman Catholic party, we may fairly judge of his intention at this particular juncture by what we know to have been his disposition at a subsequent period. We have a letter from him to the earl, dated Newcastle, July 20, 1646, in which he says:—"If you can raise a large sum of money by pawning my kingdoms for that purpose, I am content you should do it; and if I recover them, I will fully repay that money; and tell the nuncio, that if once I come unto his and your hands, which ought extremely to be wished for by you both, as well for the sake of England as Ireland, since all the rest, as I see, despise me, I will do it; and if I do not say this from my heart, or if in any future time I fail you in this, may God never restore me to my kingdom in this world, nor give me eternal happiness in the next." Now this solemn attestation was pronounced long after the charge had been made public, and when a man who had ever felt that it involved guilt or impropriety would naturally have accompanied it with some explanation or qualification. It is here evidently uttered not as a new, but as an old resolution, respecting the sincerity of which the writer feels that some doubts may have been entertained. But this is not the only proof we have under his own hand, of his readiness to put himself at the disposal of the earl and Rinuccini. This letter was preceded by two others, dated respectively April 5 and April 6, 1646, the first of which says:—"I know you cannot but be confident of my making good all instructions and promises to you and the nuncio;" while in the second he adds, "as I doubt not but you have too much courage to be dismayed or discouraged at the usage you have had, so I assure you that my estimation of you is nothing diminished, but rather begets in me a desire of revenge and reparation to us both; for in this I hold myself equally interested with you. Wherefore, not doubting of your accus-

tomed care and industry in my service, I assure you of the continuance of my favour and protection to you, and that in deeds more than words I shall shew myself to be your most assured constant friend, CHARLES R."—Here there are three other letters subsequent to the publication of the secret treaty, and to a solemn denial of any authority to Glamorgan for its conclusion; yet all is adopted, and this usage "begets in him a desire of revenge and reparation."

The case is to be pressed still further. The letters of the month of April 5 and 6 followed two dated the preceding February 3 and 28, in the one of which, meant to be seen by Ormonde and others, he says, "I must clearly tell you, both you and I have been abused in this business; for you have been drawn to consent to conditions beyond your instructions, and your treaty hath been divulged to the world. If you had advised with my lord lieutenant, as you promised me, all this had been helped; but we must look forward," &c. In the other, intended for his emissary's private consolation, he writes, "I am confident that this honest trusty bearer will give you good satisfaction why I have not, in every thing, done as you desired; the want of confidence in you being so far from the cause thereof, that I am every day more and more confirmed in the trust that I have of you."

There may be moralists so lax as to attempt to excuse these reiterated falsehoods, upon the plea that they were told to impose upon enemies; but his correspondence informs us that Charles could deceive his friends with equal hardihood. The passage in the letter of February 5, "If you had advised with my lord lieutenant, as you promised me, all this had been helped," was adroitly introduced to appease the resentment which it was naturally assumed that Ormonde must have felt upon discovering how a mission of this important kind had been entrusted to another without his consent or knowledge. Charles went even further to disabuse the marquis of that supposition, protesting "upon the word of a Christian, he never intended Glamorgan should treat of any thing without his (the marquis's) approbation, much less his knowledge." In the teeth of this assurance, however, he admitted to the

Irish privy council, "that it is possible he might have thought fit to have given the earl of Glamorgan such a credential as might give him credit with the Roman Catholics, in case the marquis should find occasion to make use of him, either as a further assurance to them of what he should privately promise, or in case he should find it necessary to manage those matters, for their greater confidence, apart by the earl, of whom they might be less jealous."

A cause projected and conducted with so much treachery could not possibly succeed. Everything depended upon the treaty, and that was now attacked from all quarters. The first direct attempt to destroy its efficacy was made by Glamorgan himself, who affected to contend, when arrested, that his proceedings were not obligatory upon the king, because the day after he had entered into the treaty he had signed an act of defeazance with the same parties. Thus turpitude and fraud accompanied the affair through its successive stages. Ormonde completed the general embarrassment by positively refusing to repeal the penal laws. The Irish clergy, naturally enough, then insisted that no terms should be accepted short of those already offered. It was in the midst of this confusion, while the king's friends were pressing for the promised supply of men which had been the consideration upon their side for the cessation of arms,—and while the Irish were contending for a public ratification of Glamorgan's private concessions,—that Rinuccini arrived, and held to the full as peremptory language as had as yet been spoken in the controversy. The sections into which the Confederates were split thus became broadly separated: the papal party, emboldened by the reputation of their generals, and the aid of foreign courts, hoped much from the king's necessities, and were reasonably doubtful of Ormonde's willingness to place their claims upon the ground they sought to rest them. They, therefore, felt no anxiety to conclude a peace. On the other hand, the aristocratic division of the Confederates, alarmed at the position in which they stood,— a position which made them at once the enemies of the two great English factions, the king and the parliament,—were sincere in their efforts to extricate

themselves from so dangerous a dilemma, and to bring about a definite arrangement. In the end they carried their point; but under circumstances so void of public sympathy or confidence, that dissension continued to prevail, and the war to proceed as of old.

The treaty between Ormonde and the Confederates, signed March 28, 1646, would have been hailed with joy if it had been concluded two years earlier. It would then have fallen within the time prescribed for that purpose, by the cessation of arms agreed to in 1643. The delay involved disastrous consequences, amongst the chief of which were the repeated indications afforded by the king, that the more straitened his position became, the more liberal would be his concessions in Ireland; and the concurrent manifestation of Ormonde's repugnance to satisfy the demands of the Roman Catholics. The latter was ready to tolerate the old religion, but not to place it upon any terms approaching to those of equality with the Protestant church. Fairly as he spoke to the party, he proved in this latter point so mischievously stubborn as to excite mistrust and even odium.* Accordingly, when after many vexatious negociations, many contradictory admissions and infinite procrastinations, he was at last driven to guarantee the free worship of the Roman Catholic religion, every expression used in the deed was sure to be scrutinised with a suspicious eye, and the

* As in the case of Charles, so in that of Ormonde, we are influenced in our judgment of his real intentions in these treaties, by his subsequent admissions. Cox prints a letter which is conclusive of his fixed principles upon this question. It was written on Christmas day, 1646, while the negociations were still pending for delivering up the government to the parliamentary commissioners, and was to be taken to France by Lord Digby. "Be careful," he says, "to take order that the commands directed to me, touching this people, thwart not the grounds I have laid to myself in point of religion; for in that, and in that only, I shall resort to the liberty left to a subject to obey by suffering; and particularly that there be no concession to the papists, to perpetuate churches or church livings to them, or to take ecclesiastical jurisdiction from us: as for other freedoms from penalties for the quiet exercise of their religion, I am not only clear that it may, but ought to be given to them." After reading these admissions, it is hard to blame the nuncio and the clergy for suspecting the marquis's liberality, or the majority of the people for resisting, while they had power, so limited a toleration of the rights of conscience.

slightest omission or obscurity to be denounced as evidence of preconcerted fraud and determined insincerity.

Rinuccini and the clergy were the first to assail the provisions of this paper. They insisted that the measure fell short of the terms admitted in Glamorgan's treaty, and also of the powers given by Charles to Ormonde for the total repeal of the penal laws and of Poynings' Act. The truth of these averments is unimpeachable. An amended scheme of settlement was produced on their side, of which it will be enough to report that it erected the Roman Catholic church as the ecclesiastical establishment of the country. This uncompromising plan was laid before a new assembly of the Confederates, and passed with a few alterations. An additional proposal for the restoration of abbey lands was rejected, as was a vote of censure against the commissioners who had signed the peace; but the peace itself was condemned by an overwhelming majority, and the clergy took their own revenge against the commissioners by pronouncing sentence of excommunication upon them.

So far, the high church party amongst the Roman Catholics was triumphant, and bold as their pretensions were, they must be admitted, all circumstances considered, to have been easily defensible in point of principle and sound policy. For the proportion of Roman Catholics to Protestants, according to Sir W. Petty, stood as five to one. Rinuccini now gained an ascendancy in the deliberations of the Confederates which atfirst promised signal results, and was sustained with a free hand. Provided with money, and holding O'Neil and Preston in his pay, he ordered them to march into Leinster and overawe the opposition of the aristocracy, who were for maintaining the peace. He seems, moreover, to have desired to make O'Neil commander in chief, and to crush divisions by erecting a military dictatorship. This, if carried, would have been a masterstroke; but a well-grounded fear lest Preston, a man of choleric temper, and hitherto invested with an independent command, might join the enemy if reduced to an inferior station, diverted

the attempt. From this moment the cause of the country was hopeless; day by day there was an increase of the weakness and confusion which are inevitable whenever a common interest divides into different courses of action. Much more fatal than this conflict was the arrogance of the hierarchy, who provoked the contempt of all wise men, while they aggravated the hatred of the other sectarians who were parties to the struggle, hurling forth excommunications and anathemas.

Ormonde's mortification was soon complete: he had reluctantly consented to a peace, which when made, did not put a stop to the war. He was thus still beset both by the Catholics and the Puritans. It was under these circumstances that he plunged into another extreme, and resolved to give up the government to the English parliamentarians, with some of whom he had previously corresponded. In now publicly renewing his negociations with that body, he pleaded instructions from the king as his authority for the step he was about to take. "If it were possible for him to keep Dublin," say Borlase and Cox, "and the other garrisons, under the same entire obedience they were then in, it would be acceptable to his majesty; but if there were, or should be, a necessity of giving them up to any other power, the marquis should rather put them into the hands of the English than of the Irish." Acting in the terms of this advice, Ormonde and the privy council wrote to the king and the lord mayor of London, September 26, 1646, only six months after the abortive treaty of peace, justifying their late proceedings, estimating the forfeitures already decreed against the first contrivers of the rebellion as sufficient to satisfy the adventurers who had come over to put it down; and concluding with a declaration that their necessities admitted of no delay, and that if succour were not at hand they should be obliged to think of some other course. These overtures led to the appointment of parliamentary commissioners, who reached Dublin in November, empowered to negociate for a surrender of the sword of state, all the king's garrisons, and the appointment of a new governor.

The retiring lord lieutenant did not fail to indulge, at this crisis of his power, in his usual tendency to procrastination. The treaty, which when first proposed was to have been concluded in four days, was barely brought to an end in four months; and then with so much precipitation, that advantage was taken of the loose terms used in concluding it to deprive Ormonde of the special benefits he had, in the first instance, taken care to obtain for himself.*

Ormonde left the country, September 28, 1647, and after placing in the king's hands, at Hampton Court, an elaborate memorial, explanatory of his recent conduct, hurried privately to the coast, and joined the Queen Henrietta in Paris. Meantime distraction and calamity, the products of a zeal which was rarely tempered by discretion, continued to prevail amongst all parties in Ireland, except the parliamentarians—that body strengthened by the force under General Jones, which had received Ormonde's resignation, daily acquired new advantages. It is impossible to pursue these intricate events through all their ramifications. The cause of the Catholics, as already intimated, was lost when it fell into the hands of Rinuccini. Looking mainly to the religious side of the question at issue, that impetuous dignitary would listen to no compromises, and enter into no half measures. In thus proceeding he was not more obstinate, and he certainly was more sincere, than Ormonde had been in his attempts to counteract him. His conduct has been strongly condemned by all writers, those on his own side of course excepted; and yet if calmly reviewed, it will appear as a whole but natural to a

* The original conditions, and those which he supposed to have been granted, were liberal. They stipulated that in consideration of his surrendering his office and powers of government, he should be secured in the enjoyment of his estates; that he should receive protection against all debts for a twelvemonth, together with an indemnity against those contracted on the public account; and a sum of £13,877 for the settlement of certain accounts, which were to be audited by Sir James Ware; £2,000 a year for five years and longer, if he should not receive so much out of his own estate; and that he should have leave to reside in England for a twelvemonth without being pressed to take any oath, he engaging his honour not to do anything disserviceable to the parliament during that time.

man of his vocation in such circumstances; for it is the province of all churchmen to consult the interests of their own order and the privileges of their respective churches, above every other thing. Throughout history, whenever we meet with the cause of a church exposed to peril, we are also sure to find its hierarchy prepared to go to extreme lengths for the purpose of establishing its security. With them, even in times of peace, political rights are held secondary to religious privileges. During periods of political convulsion, when the state and the church are involved in common danger, prelates and priests, if allowed the opportunity, will invariably provide with stern decision for the full recovery of their own power, and postpone all other considerations with indifference, if not with contempt. We offer neither approval, then, nor apology, but are only candid when we confess that the career of Rinuccini forms no exception to the common practice of his order on other occasions of a like description. His abuse of the once formidable power of ecclesiastical excommunication was indefensible; but if in this and other respects a bad politician, he must, we apprehend, be pronounced a good churchman. At the same time a pointed moral is to be deduced from his conduct—in periods of political convulsion, ecclesiastics are the last persons who can safely be placed at the head of affairs.

The aristocratic section of the Confederates took alarm at the growing strength of the parliamentarians. They had too much reason to feel that no concession was to be expected in that quarter. It was now generally admitted that even toleration from Ormonde was preferable to persecution from the Puritans. While this politic spirit prevailed, the clerical party was outvoted in the general assembly, and the nuncio, incensed at his defeat, withdrew to the camp of O'Neil. As the means to decide their respective pretensions were not to be obtained in Ireland, embassies on either side were despatched to Paris and to Rome. Men and money were earnestly solicited at both places, but at the former the prayer was that Ormonde should be sent with them; while at the latter the assurance given was, that, if supplied, they should be vigo-

rously appointed to defeat the measures that nobleman was expected to prosecute.

The relative strength of these ill-fated opponents was soon materially altered by another change in the conduct of O'Brien, Lord Inchiquin. That stern and selfish man, hated, not without reason, by the majority of his fellow countrymen, and often dreaded but never admired by any others, had already become dissatisfied with his new masters. Interested motives had prompted him to abandon the royal cause, and the same influence now instigated him to renounce the parliament, and fall back upon the king's service. He had been promised a large sum of money, as a reward for his decisive victory at Knocknones, soon after Ormonde's departure; and finding not only that the amount was not likely to be paid, but that his remonstrances upon the subject were resented, he made no secret of his discontent, and entered into a correspondence with Ormonde abroad and the Confederates at home. His recent ally, Lord Broghill, aware of his feelings, and anxious to obtain his post, denounced him to the English parliament, at first without effect; but ere long his negociations becoming notorious, he was voted a renegade and a traitor. His treaty with the Confederates at this juncture struck the final blow to the sinking influence of Rinuccini over that body, and led to the return of Ormonde, who landed on the coast of Cork, under the auspices of Inchiquin, in September, 1648.

This second attempt to uphold the interests of Charles proved as abortive as the first, and for the same reasons. The great body of the people were Roman Catholics, many of them seeking to recover the estates of their forefathers, and all bent upon re-establishing their religion. Ormonde had been compelled to leave Ireland only a year before, because he would not satisfy the popular demands in either of those respects; and he was driven away again, because returning after so short an absence, with unaltered sentiments, he was still vain enough to hope that the strength of the Anglo-Irish landowners, who were willing to accept of toleration in religion for the sake of security in property, would avail at such a crisis, to enable him to subdue both the native Irish and the

parliamentarians. An enterprise so desperate and false in point of principle, could only have prospered by the force of original talent and pre-eminent vigour; but these were qualities to which the lord lieutenant had few pretensions; and thus his re-appearance in the war, though marked on some occasions by demonstrations of personal dignity and good sense, was still as devoid of interest as it was barren of success.

It would be tedious to offer proofs of the correctness of these observations, by describing how mistrust of his intentions animated the citizens of Wexford and Waterford to close their gates against him, even when they most needed succour. Equally dull would be the task of relating, in detail, the various inconsistencies and violations of principle by which the other principal actors in these disastrous proceedings sullied their reputations, and incurred disgrace—how Munroe, one of the first to take the solemn league and covenant, became suspected, and was sent prisoner to London; how Preston, jealous of O'Neil, plotted and acted with Clanrickarde, against his old brother in arms; and how O'Neil himself, finding his views alike incompatible with the objects of the Confederates and of Ormonde, was proclaimed a traitor by the Confederates, and made a compact of mutual assistance with Monk, in the North, which was faithfully observed, during a term of three months, until it was dissolved by the puritanical fury of the English House of Commons. These were minor incidents, seldom reflecting credit upon the persons concerned in them, and never diverting the main current of affairs from its impetuous course. Upon that tide the master spirit of the storm soon rode, and became the great avenger to every party but his own, of all the blind and perverse folly, the mingled stubbornness and negligence, the corruption, bigotry, and crime with which this long and inglorious war had been overloaded.

In January, 1649, Ormonde signed a new treaty with the Confederates, embodying the principal concessions yielded by Glamorgan; and in the following month of March, the English parliament voted the lord lieutenancy to Oliver Cromwell, who, looking around him for suitable companions and assistants in so arduous a command, quickly fixed his eyes on Boyle, Lord

Broghill. According to his biographer, Mr. Budgell, that nobleman, shocked by the king's death, had quitted the parliamentary army, and abandoning Ireland, and the estate he had there, as utterly lost, had retired to Marston, a family seat in Somersetshire. The complete character of this political adventurer is revealed with peculiar simplicity and effect in Mr. Budgell's account of his conduct upon this occasion. He could not, it seems, "forbear reflecting, in his retirement, upon the miserable condition both of his country and the royal family, till, at last, he conceived it beneath his spirit and quality to see the public ruined, and his own private fortune enjoyed by rebels. He resolved, therefore, to accept something, both for the sake of his country and himself, and accordingly, under pretence of going to the Spa for his health, he determined to cross the seas, and apply himself to Charles II. for a commission to raise what forces he could in Ireland, in order to restore his majesty, and to recover his own estate. Having taken this resolution, he applied to the earl of Warwick, who had interest with the prevailing party, desiring him to procure a license for him to go to the Spa. He pretended to the earl that he meant nothing more by this journey than the recovery of his health; but he let some of his friends of the royal party, in whom he thought he could confide, into the secret of his design; and having raised a considerable sum of money, came up to London to prosecute his voyage.

But the committee of state, who spared no money to get proper intelligence, being soon made acquainted with the whole design, determined to proceed against him with their utmost severity. Cromwell, a member of the committee, and no stranger to the character of Broghill's cleverness, entreated that he might have leave to talk with him, and endeavour to gain him before extremities were resorted to. Having obtained this permission, he immediately dispatched a gentleman to Broghill, to let him know that he intended to wait upon him. Broghill having had no acquaintance with Cromwell, told the gentleman that he was not the person to whom the general had sent him. The gentleman readily replied, that he was sent to the Lord Broghill, and, therefore, if he was that

lord, he was sent to him. His lordship finding there was no mistake, confessed that he was Lord Broghill, and desiring his humble duty to be presented to the general, he added that he would not give him the trouble to come to him, but that he himself would wait upon his excellency, if he knew at what hour it would be most proper for him to do so: in the mean time he would stay at home, to receive further commands. The gentleman took his leave, promising to return directly.

Musing in his chamber upon what had passed, Broghill soon afterwards, to his great surprise, saw Cromwell himself enter the room. When some mutual civilities had passed between them, and they were left alone, Cromwell told him, in few words, "That the committee of state were apprised of his design of going over and applying to Charles Stuart for a commission to raise forces in Ireland, and that they were determined to make an example of him, if he himself had not diverted them from that resolution." Lord Broghill interrupted him here, and assured him that the intelligence the committee had received was false; that he was neither in a capacity, nor had any inclination to raise disturbances in Ireland, and concluded with entreating his excellency to have a kinder opinion of him. Cromwell, instead of making any reply, drew out of his pocket copies of several letters sent by Broghill to persons in whom he confided: these he put into his hands. Lord Broghill, upon perusing them, found it was to no purpose to dissemble any longer. He asked his excellency's pardon for what he had said, returned him his humble thanks for his protection against the committee, and entreated his directions how he should behave in so delicate a conjuncture. Cromwell told him that though till this time he had been a stranger to his person, he was not so to his merit and character; that he had heard how gallantly his lordship had already behaved in the Irish wars; and, therefore, since he was named lord lieutenant of Ireland, and the reducing that kingdom was now become his province, he had obtained leave of the committee to offer his lordship the command of a general officer, if he would

serve in that war; that he should have no oaths or engagements imposed upon him, nor be obliged to draw his sword against any but the Irish rebels.

Lord Broghill, continues his simple biographer, was infinitely surprised at so generous and unexpected an offer; he saw himself at liberty, by all the rules of honour, to serve against the Irish, whose rebellion and barbarities were equally detested by the royal party and the parliament. He desired, however, the general to give him some time to consider of what had been proposed to him. Cromwell briskly told him that he must come to some resolution that very instant; that he himself was returning to the committee, who were still sitting; and had determined, if his lordship rejected their offer, to send him immediately to the Tower. Broghill, finding that his liberty and life were in the utmost danger, and charmed with the frankness and generosity of Cromwell's behaviour, gave him his word and honour that he would faithfully serve him against the Irish rebels. Upon which, Cromwell once more assured him that the conditions he had made with him should be punctually observed; and then ordered him to repair immediately to Bristol, to which place forces should be sent him, with a sufficient number of ships to transport them into Ireland. This being done, Broghill returned to Munster, and there raising a troop of horse, and 1,500 foot, again took the field to fight for the parliamentarians, whose guilt in beheading the king had so lately filled him with horror and despair.

Cromwell landed at Dublin in 1649, with 9,000 foot and 4,000 horse, £200,000 in money, and a full supply of ordnance. The troops he had selected for this expedition consisted of the gloomiest fanatics and wildest enthusiasts in the Puritan army—men who compared themselves to the people of Israel marching to extirpate the idolatrous Canaanites, and who fancied themselves the appointed instruments of heaven for the overthrow of the empire of Babylon in Ireland, and the erection of a new Jerusalem in its stead. Cromwell began his operations at the head of these bigoted desperadoes with characteristic fury. Proceeding at once to attack Drogheda, he disdained

the forms of regular war, and took the town by storm. It was garrisoned with 3,000 men, who fought bravely, and were promised quarter upon throwing down their arms. But Cromwell, pre-determined to strike unexampled terror with his first blow, let loose his armed zealots upon the unresisting Irish, and, in defiance of the promised quarter, devoted two days to a general carnage. Only 30 of the garrison were spared, and they were sold as slaves, and transported to the colonies.

It was at this extreme point that Ormonde, ever too late with his good measures, concluded a hasty agreement with Owen O'Neil, the only officer whom valour, skill, and experience in war qualified to cope with so formidable an antagonist. But a fatal disease had seized upon the frame of that popular commander: he was now so ill that he was obliged to be moved about on a litter. Even in this condition, with a spirit and determination unsubdued by bodily sufferings, he ordered the army to march, and was carried at their head towards the enemy. The motion, however, was more than he could bear; he was obliged to stop at Lough Oughter Castle, where he died, and took with him to his grave the lingering hopes of Irish independence.

Although the winter was now setting in, Cromwell, undeterred by the approaching severities of the season, detached a force under Venables to co-operate with Coote in the North, while he proceeded himself to Wexford with 9,000 men. Here he was joined by Broghill. Ormonde had contrived to throw a reinforcement into the town; but Strafford, the governor of the castle, betrayed his post, and an easy capture was brutally followed by a repetition of the scenes which had flooded Drogheda with blood.

New Ross and Carrick-on-Suir were the places next taken by Cromwell's troops, while Broghill, moving into the districts over which the possessions of his family gave him most influence, marched through the open gates of Youghal, Kinsale, Bandon, and even Cork, and reduced Dungarvan after a slight resistance. Thus, before the winter set in, Cromwell's army had won excellent quarters, and, with the exception of Water-

ford, Clonmel, and Limerick, all the large towns in the South had yielded to his arms. At Waterford, Clonmel, and Limerick, however, his sweeping career was bravely arrested. In each of these places the citizens, after rejecting assistance from Ormonde and his agents, in whom they put no confidence, were able to gain the help of officers and men belonging to their own party. The consequences were signal. Waterford, defended by General Ferral, was never captured, though besieged by Cromwell in person. The citizens still pride themselves on the motto to their city arms, so well earned on this occasion—*Urbs Intacta.* Clonmel was commanded by Colonel Hugh O'Neil, at the head of 1,500 Ulster men, an officer who was in every respect a distinguished member of the family to which he belonged, and who acquired the highest honour by the gallantry and skill he displayed in the defence of this town.

Cromwell, impatient of the resistance that detained him before Waterford, had invested Clonmel, when news was brought him that the Roman Catholic bishop of Ross was scouring the province, and raising men to overwhelm him in every direction. Broghill, who became acquainted with this bold movement nearly at the same time, hastened with what troops he could gather to Cromwell, and by his advice pursued the insurgents into the county of Cork. There he fell unexpectedly upon them at Macroom, and completely routed a raw levy of between 4,000 and 5,000 men. He took their leader, the bishop, prisoner, and marching with him to the castle of Carrigdrohid, offered him his life, if he would cause it to be surrendered. The gallant prelate desired to be taken before the walls, where he no sooner found himself, than he nobly exhorted the garrison to fight to the last man, and was forthwith handed over to the hangman.

The insurgents at Macroom had scarcely been put to flight, when Broghill received a letter from Cromwell, telling him that most of his men were dangerously sick of a prevalent epidemic; that they had already been twice repulsed by Hugh O'Neil; and that he should be obliged to raise the siege of

Clonmel, if he was not immediately reinforced. He, therefore, conjured him by all the ties of duty and friendship to think no longer of dispersing the rebels in the West, but to come immediately and save his general from defeat.

Broghill replied by the same messenger, that he had just defeated the enemy, and would not fail to be before Clonmel in three days; and he kept his word. At the promised time he appeared, with all his force, while Cromwell, delighted at the seasonable relief, turned out his whole army before the walls, to the cry of "a Broghill!" "a Broghill!" Running forward at their head, he caught him in his arms, and publicly applauding his courage and activity, returned him thanks, emphatically, for his recent success. Thus reinforced, he pushed on the siege with renewed vigour, and made a breach in the walls. But even then he could not force an entrance: O'Neil, his troops, and the inhabitants fought manfully and invincibly, until at the end of two months it was found that they had fired off nearly their last charge of powder. When that resource failed, the still unexhausted talent of the general saved the army and the town. He withdrew all his soldiers secretly, and by night, across the river, and escaped to Limerick. In the morning the inhabitants offered to surrender the town, and Cromwell, ignorant of O'Neil's clever retreat, gave them good conditions, and was thus enabled to obey, with honour, the pressing orders to return to England, which had of late been repeatedly addressed to him.

Ireton, Cromwell's son-in-law, and already president of Munster, succeeded to the command of the army, and by the capture of Killaloe and Limerick ere long reduced the whole province. At the latter place, as at Waterford and Clonmel, the popular resentment against Ormonde had been so strong, that no co-operation with him, or with his friend, Lord Clanrickarde, could be effected. Hugh O'Neil fully sustained the reputation he had gained by his defence of Clonmel; but his eminent talents, and noble spirit, though every way equal to the task of coping with his enemies, could not prevail against the rage of contending factions, against the ravages of the

plague, which had broken out in the city, and more destructive still, the cunning villany of a Colonel Fennel, who had twice before betrayed his party at Youghal and at Killaloe; and who now, practising upon the fears of the besieged and distracted citizens, seized the keys of two gates, by which, after beating off O'Neil's guard, he admitted Ireton's soldiers. It is satisfactory to know, that of the 24 persons excepted from pardon, by way of example, upon this occasion, one of the first led out to execution was this infamous traitor. Friar Walsh, one of Ormonde's bitterest assailants, and the Roman Catholic bishop of Emly, were hung with him. The gallant Hugh O'Neil was with difficulty saved from the gallows. When they put him upon his trial, he made a soldier-like defence, asserting that he had maintained the character of an honourable enemy, and that no unjust sentence, there to be pronounced or executed, could tarnish his reputation. Ireton nevertheless pressed for his condemnation, which was carried; but his life was not taken. Ludlow pointed out the odium with which such an act was sure to be regarded on the continent, where O'Neil had served with distinction—and the fear of disgrace arrested the arm of unmanly revenge.

Ormonde did not remain long in Ireland after Cromwell's departure. He had now been for some time back rather a spectator, than an actor, of passing events. The last slender thread by which he held a sinking party together, was cut asunder by Charles II., who gratified the Scotch commissioners, when he signed the treaty of Breda, by annulling his lord lieutenant's concessions in Ireland. The wildest feelings of indignation and resentment were provoked by this fresh instance of royal faithlessness, and Ormonde once more made his arrangements for escaping to the continent. Calling a general assembly at Loughrea, in November 1650, he put on record several vindicatory memorials of his second administration; and after making some further attempts, equally tedious and vain, to treat with the nuncio's prelates, he named Lord Clanrickarde as his deputy, and set sail for France from the bay of Galway, in the following month of December. Inchiquin, whose

troops had mutinied and left him without followers, was the companion of his flight. Preston had already escaped from the same spot. So far the Roman Catholic party was revenged, if not righted. Ormonde would not yield them religious freedom, and their prelates drove him out of the country.

The authority which devolved upon the new lord deputy was merely nominal. It was fancied that the Irish would rally round him because he was a Roman Catholic; but his well known intimacy with Ormonde, and the universal distrust of all royal professions of sympathy or regard for the Irish, disabled him from undertaking operations upon an extended scale, or of an important nature. He was joined, however, by Sir Phelim O'Neil, one of the first authors of the war, who, reappearing conspicuously at its close, became one of its last victims, and gave a parting lustre to his career by the honourable manner in which he met his death. Clanrickarde and Sir Phelim captured, but were unable to keep Ballyshannon and Donegal. Close pressed by the enemy, the former escaped, while the latter was taken prisoner, and condemned to die. A pardon was repeatedly offered to him, provided he would declare, that when first he took up arms he had acted under an authority from Charles I. But he rejected the temptation, and suffered with fortitude. One after another the remaining leaders were subdued, or compelled to treat for their lives. A few of the nuncio's section made a wild attempt to gain the duke of Lorraine as a champion, by engaging to set him up as king;*

* By way of apology for this act, it has been pleaded, that the party were driven to it by the reiterated proofs which had been given, that no dependence was to be placed upon any thing promised, or even done by the king—for that Charles II. had already shown himself a true son of his father, in violating his solemn pledges; in undoing at one time what he had properly done at another; and in committing himself, for the sake of a temporary advantage, to the most inconsistent and unprincipled extremes. Assuming all this to be, as it really is, perfectly true, it will not constitute a perfect defence for such an act as the repudiation of their allegiance by Roman Catholic bishops—and still less will it vindicate their reputations as good politicians, to suggest that either the independence or the happiness of their country was to be secured by placing it in the hands of a continental potentate. There never has been, and to all appearances there never will be, room to make Ireland flourish, except in one or other of two conditions—complete independence of, or complete iden-

but the scheme, though tricked out in a new guise, and carried to other courts, was too weak to gain supporters, and only served, at a subsequent and more important juncture, to furnish an excuse for a great national wrong. At length Clanrickarde, who had vainly endeavoured to keep a few followers together, while fighting for their lives in the woods and mountains of the west, received, as Ormonde had done before, permission from Charles II. to provide for his safety. Thus justified, he applied to General Fleetwood for a passport, which being readily granted, the royal authority ceased to have a representative in Ireland.

The affairs of Ireland during the protectorate of Cromwell offer but little matter for comment, if we except the memorable act of settlement. It will be more convenient, however, to describe that rigorous measure in the sketch to be presently drawn of the various forfeitures, which, beginning under Charles I., were confirmed by his worthless successor. In other respects the government of Ireland, under the commonwealth, was of a kind that was sure to increase the popular hatred of the English name and institutions. At the same time it is fair to observe, that the severities practised were less a consequence of any fresh enactments introduced by Cromwell, than the inevitable result of the recent military usurpation of the country. Soldiers who had quartered themselves upon noble properties by force of arms, kept the people around them in a state of abject subjection, not by the

tification with, England. Reverting to this abortive negociation with the duke of Lorraine, it is to be observed, that it was not an unnatural consequence of some other proceedings, which would have been noticed in the text, but that they were demonstrations of anger rather than of power. Before Limerick fell, the prelates held a synod at Jamestown, and crowned their labours to render Ormonde odious with the people, by requiring "that he should speedily quit the kingdom, and leave his majesty's authority in the hands of some person faithful to the king, and trusty to the nation, and such as the affections and confidence of the people would follow." Prompt obedience not having been rendered to this mandate, it was followed up by other missives of an equally hostile temper. A formal declaration was signed against "the continuance of his majesty's authority in the lord lieutenant," and a fierce sentence of excommunication was pronounced against "all who adhered to him by giving him any subsidy, contribution or intelligence, or by obeying his commands!"

due course of law, but by applying the rudest means of punishment in every instance of apparent disobedience. The cruelties of the Puritans during their uncontrolled occupation of Ireland, are not to be outmatched in the long catalogue of enormities by which the history of Christian Europe has been blackened. Fanaticism never exhibited itself in a mood at once so stern and wild. Vindictive interpreters of the spirit of the Old Testament, they imbibed a blasphemous conviction that God had punished an idolatrous people, by subjecting their lives and properties to the despotic authority of a "purer race elect." As Joshua used the Gideonites so the Puritans scourged their Irish serfs with rods of iron. At least 40,000 Irishmen were transported as slaves to the West Indies. The peasantry were strictly forbidden to stir out of their respective parishes without leave; they were not allowed to assemble for religious worship or any other purpose; their priests were commanded to fly the country under pain of death; and when it was discovered that some faithful pastors, unmoved by these frightful denunciations, still administered the consolations of religion in caverns, hid amidst the wild fastnesses of uncultivated mountains, or in turf-covered huts, pitched upon the cheerless centre of some deserted bog, blood-hounds were employed to track the martyrs to their retreats, and priest-hunting became one of the field sports of the country.

Of Ireland under the commonwealth it is only further to be observed, that the Protector gave a proof of his political sagacity, by suggesting the first idea of a legislative union between the two countries. He proposed, in his instrument of government, that Ireland should be represented in the imperial parliament by thirty members. Unquestionably it was a serious misfortune to both countries, that a plan, so full of practical utility, was neither reduced to form by its original author, nor adopted by any subsequent government, during so long a period as a century and a half. The wrongs of Ireland, always excessive, could not have proceeded to the monstrous extent they afterwards reached, if the complaints of her suffering population had reached the ears of the people of

England, through the voices of even a few representatives in the English legislature. Cromwell's last choice of a lord lieutenant, in the person of his second son, has been generally praised. Henry Cromwell appears to have been a good and wise man, whose administration was temperate, and whose views for the improvement of the country were judicious; but the interval of his power was too brief to admit of corresponding actions.

Only one member of the Irish aristocracy retained his possessions, and at the same time such an influence with the Protector as to render him a person of consequence in the government of both countries, under the new order of things. This was Boyle, Lord Broghill, a man of refined selfishness, consummately skilful in political intrigue, and the management of his worldly interests, who served all governments with ability, and profited by each in its turn. Ireton alone amongst the parliamentary leaders, appears to have penetrated his duplicity: he was more than once heard to pronounce him a man to be got rid of. If that discriminating officer had not been carried off by the plague, Broghill, in all probability, would not have gained the confidence of the Protector to the extent which we find him enjoying on more than one interesting occasion. Residing in London, and constantly attending Cromwell, he was able to render some opportune services to the royalists. His representations at one time saved the marchioness of Ormonde's pension of £2,000 from being stopped; at another, Cromwell, by a friendly hint, gave him to understand that Ormonde was plotting in London, and was sure to be arrested if he remained. By this means the marquis, warned of his danger, was enabled to escape back to the continent. A third anecdote, of the same familiar kind, describes Broghill sounding the Protector on the subject of a marriage between his daughter, Lady Frances Cromwell, and Charles II. The proposition, we are told, was at first not ill received by the Protector, and was only rejected from a conviction that whatever he might promise, Charles would never forgive the death of his father.

The restoration in Ireland, an event of secondary importance, was mainly brought about by Lord Broghill. He had distinguished himself at the death of Cromwell by the astuteness, spirit, and eloquence, with which he supported the pretensions of his son; but having fairly proved the incompetence of that unambitious gentleman to support the power and the honours thrust upon him, he proceeded to Ireland, resolved to secure his title and estates by taking the lead in promoting an event which, as he foresaw, was inevitable. Upon reaching Munster he began to gather his friends and retainers around him. His proceedings were soon interrupted by a parliamentary commission, which had followed him over from London, and was charged, amongst other things, "to have a particular eye to Lord Broghill, and, if possible, to take some means to confine him." A train of negotiations ensued, in which the experienced peer far outwitted the commissioners, crafty as they were in the art of deceiving. He defeated all the snares laid to entrap him with a boldness of which one sample will furnish sufficient proof. He was corresponding for the king's return with Ormonde, and was prepared to negotiate with the most unprincipled and by far the most bloodthirsty of the republican leaders, Sir C. Coote, yet he did not scruple to protest to the commissioners that monarchy was a "ruinous wickedness," and that he was prepared to "die sooner than give the Lord's heritage to strangers."

A man so accomplished in hypocrisy was not to be stayed in the execution of his plans. The commissioners were obliged to dismiss him with compliments and smiles, which he reciprocated with equal insincerity; and returning to his province, completed his previous arrangements. Securing the officers of the Munster army and the garrison of Limerick, he engaged the active co-operation of Coote, and despatched his brother, Lord Shannon, to invite Charles to Ireland. Before an answer could be received, Coote's impetuosity produced extraordinary changes. Having seized Galway and surprised Athlone, this headlong commander marched to Dublin, where he impeached Ludlow. The excitement raised by this spirited

example was contagious. The magistrates of Dublin summoned a convention, which undertook to act in defiance of an order from the English council of state. Youghal, Clonmel, Carlow, Limerick, and Drogheda declared for the king, and the whole country verified the correct view taken by Broghill, when he assured Charles that he might enter into possession of it with perfect safety.

But a corresponding ardour had accomplished the restoration in England, and spared the Irish another occasion of rendering a signal benefit to a family, no member of which had ever appreciated their loyalty or rewarded their services. Broghill at first was coldly received by Charles; his merits as the projector of the recent movements in Ireland had been eclipsed by Coote's success in bringing them to bear; and it was not until he had convinced the king by documentary evidence of the validity of his claims to be considered the author of the plot that he received his expected reward—being confirmed in the possession of all his estates, made lord president of Munster, one of the lords justices, and advanced a step in the peerage, with the title of earl of Orrery. Coote was associated with him as lord justice, and created earl of Mountrath. The higher post of lord steward of the household, lord lieutenant of Ireland, a dukedom, his ancient right of wine prisage, extended estates, and £30,000, constituted Ormonde's recompence. Nor was Inchiquin forgotten. That determined character, finding himself excepted from pardon in the act passed for the settlement of Ireland, by Cromwell's parliament, had entered the French army; and after attaining the rank of lieutenant general, was nominated viceroy of Catalonia, upon the conquest of that province: he also served in the Netherlands. He was now raised to the earldom of Inchiquin, obtained the restoration of his estates, a sum of £3,000 out of the treasury on account of losses and sufferings, together with satisfaction for pay and arrears of pay while captain-general and commander-in-chief of the army in Munster, at the rate of £10 a day, in treasury debentures. Clanrickarde, had he been alive, would doubtless have received

similar honours and rewards; but he had died in the month of July, 1657, at Somerhill, in Kent, the seat to which he retired upon being excepted from pardon for life or estate by Cromwell.

It was at first intended to make Monk, duke of Albemarle, lord lieutenant of Ireland, but he declined the post, as too difficult for an English peer. Ormonde thus resumed the direction of affairs under circumstances every way flattering to his pride and improving to his fortune.* The pomp with which he made his entry into Dublin, and the acclamations with which he was hailed as he passed in state through the crowded streets, had never been exceeded in splendour and

* Ormonde's losses had been heavy, but they were now amply compensated. The additions made to his property, though not considerable in point of extent, were in point of value enormous. His tenure had been of the usual kind—bearing crown rent, and all arrears under this head were now forgiven. The next large gain accrued from the forfeiture of the vested rights of his tenants or vassals, who held by military tenure, and in point of fact possessed, in many instances, a more profitable interest than the head lord. All these tenants had been dispossessed as participators in the rebellion, and he now took their interests. A third acquisition was effected by the resignation of lands known to have formed part of the old palatinate of Ormonde, but which adventurers had settled upon or government had taken possession of during the late disturbances. These were now cleared and restored to the duke unincumbered. By these means his rental, which, before the war broke out, did not amount to £10,000 a year, was, after the war had terminated, raised to £80,000. There are writers, however, who still adopt Carte's opinion, and represent Ormonde as a heavy loser by his loyalty, and very generous in the sacrifices which he now voluntarily rendered for the public weal. Carte prints a debtor and creditor account of gains and losses, furnished by the agent of the Ormonde property, at the foot of which appears a dead loss of £868,590; but in this computation not a few items are altogether omitted, which were of the highest value. It may be perfectly true, as Carte sets forth, that arrears of pay and salary to a large amount were never satisfied; and that a claim to 400,000 acres of land was resigned for £50,000: nevertheless, if, upon a final settlement, we find the duke possessed of a better title to a more productive estate than any of his predecessors had ever possessed—if we compare his good fortune in securing so much, while many other noble inheritances were wholly destroyed,—and if we further take into consideration the value of the offices to which he was now appointed in England as well as in Ireland, which, with the patronage and influence attached to them, he continued to enjoy for many years,—we shall not be just if we treat the restoration as any other than a very profitable occurrence to the house of Ormonde.

cordiality. Unhappily for the country, he carried back to his old place his old principles. Some writers are surprised that this should have been the case; but if we call to mind the general enthusiasm of the period, and note the excited haste with which the nation rushed with open arms upon royalty and the ancient style of government, it will be easy to conceive how, to a man of Ormonde's temper and disposition, the king, the parliament, the public, and the current of events might seem to testify, with a grateful unanimity, that the disasters of the past had, in no small degree, been produced by opposition to his measures and neglect of his advice. Certain it is, at least, that he re-appeared as chief governor, confirmed at every point in his former policy. Trying as his misfortunes had been, they had neither softened his prejudices, modified his principles, nor enlarged his ideas. There is a certain obstinacy of character which is proof against the force of all experience; and of this quality, more pernicious in politicians than in other men, Ormonde partook largely. The loss of rank, office and power—his poverty and exile, appear to have taught him but one lesson, and that he made the invariable rule of his life ever after—it was, that any disadvantage, however heavy, is to be overcome in this world, if we will endure it without yielding to its pressure. Accordingly, whenever an opportunity offered, he failed not to enforce his settled opinions; and when the opportunity was denied, he reserved himself patiently for a more favourable time of action. This policy would have been excellent, if the opinions themselves had been suited to any condition of the circumstances with which he had to deal—being every way unsuitable, it is unnecessary to show how his repeated attempts to apply them only served to increase the difficulties of his position.

The great business of his administration, one which for years engrossed the attention of both governments, and the minds of all classes in Ireland, was the settlement of the forfeited lands, and the claims of the different parties to the war for pay and compensation, on account of their services, sufferings, and losses. The subject had been extensively handled, both by Charles I.

and Cromwell. There will be the less inconvenience felt, in reverting now to those proceedings, inasmuch as but little has hitherto been related of them—there seemed to be no course open for adoption more satisfactory than that of not entering upon transactions which form a distinct and important series in themselves, until a point had been reached, at which they could be treated as a connected whole, and disposed of together.

The 11 years' war originated in the general insecurity of private property, and the vexatious penalties imposed upon the religious worship of the majority of the people. For the first time in the history of Ireland, the aristocracy and large proprietors of land had been made to experience, at the hands of the king and his ministers, all the hardships of that oppressive interference with personal rights—that lawless disregard of ancient titles and established possessions—those arbitrary seizures and violent ejectments, of which their ancestors had for ages given the native population so many galling and destructive proofs. This was the chief provocation to arms; the religious grievance was supplementary, and the longer duration of this war, compared with preceding insurrections, was occasioned by the superior character and greater means of the class of persons embarked in it—a class which felt to a man that their every worldly interest was staked on the issue—a class, moreover, which in all ages and countries has been more remarkable for attachment to the rights of property, than for devotion to the rights of conscience. This body had bought and paid for the justice, civil and religious, to which they were indisputably entitled. Notwithstanding that bargain and sale, the rapacity of the government was unsatisfied: their lands were still invaded, and their franchises abrogated, with lawless violence, in the guise of law. All former tyranny had been gentle compared with the insulting severities of the imperious Strafford. Even where the privilege of a practical accommodation was allowed, and the landowner met the demands of the crown half way, he was made to give up the fourth part of his estate, as the price of the new title to hold the remainder.

The grants issued against these fresh acquisitions of crown lands, added extensively to the confusion produced by subsequent events.

The king and the parliament of England lost no time in giving the sanction of their authority to stamp the war of 1641 with the character of spoliation and plunder, which had rendered the issue of all former outbreaks so barbarously penal. It had scarcely broken out, when the lords and commons, "taking into their consideration as well the necessity of reducing the rebels of Ireland to their due obedience, as also the great sums of money of late paid for the public and necessary affairs, and desirous to embrace all good and honourable ways tending to his majesty's greatness and profit, the settlement of that realm, and the ease of his majesty's subjects of England," voted that 2,500,000 acres of profitable lands, to be equally taken out of the four provinces, should be "assigned and divided amongst divers worthy and well affected persons," who were ready to disburse sums of money in the following proportions:—

To each adventurer of	£200	1,000 acres in Ulster.
	£300	1,000 do. in Connaught.
	£450	1,000 do. in Munster.
	£600	1,000 do. in Leinster.

This was a legislative bounty upon buccaneering—an outrageous forestalling of escheats. For at the time the vote passed no forfeitures had been declared—no lands confiscated. Nevertheless it was provided, that such only were to be seized as were of the best description:—they were to consist of meadow, arable, and profitable pasture; bogs, woods, and barren mountains, wherever they intervened, were to be cast in, over and above; the tenure was to be common socage, and the rent reserved to the crown of England was to be 1*d.* per acre in Ulster and Connaught, 2*d.* in Munster, and 3*d.* in Leinster.

Charles coupled with his assent to the propositions, of which these were the principal articles, a salvo for his conscience, and

an apology to his friends, by declaring "that he had not taken time to consider whether this course might not retard the reduction of the kingdom, by exasperating the rebels, and rendering them desperate of being received into grace again, if they should return to their obedience."

The English parliament following up this vote with several acts of parliament, soon raised £400,000 for the Irish war. Nor were the lords justices remiss in turning it to account in Ireland. We find them inviting further succour from England in 1643, upon the assurance that forfeitures to the amount of £300,000 had already been effected.* Even the royalists did not disdain to derive a title to property from this foul source—as Ormonde, for instance, who wrote in the year 1643, as already stated, from his castle at Carrick-on-Suir, and implored the king to grant him, by virtue of the powers held to vest in the crown by these acts, the escheated houses in Kilkenny of his absent tenants in arms.

During a distracted term of 12 years, both the king and the parliament had been declaring forfeitures and making grants, and their respective followers had been seizing upon lands as the varying fortunes of the war afforded them power and opportunity. At last, in the year 1653, Cromwell undertook the difficult task of adjusting and giving a legal sanction to the various claims which had been accumulating in the midst of all this violence and rapine. By this time, however, the demands had become so numerous and heavy, that it became a matter of doubt whether the whole country would suffice to satisfy them. It was therefore deemed prudent to begin the proposed arrangement by declaring that it was "not intended to extirpate the Irish nation." It was also found necessary to cut down the portions of several of the larger troops of wolves, who were ravenous to devour their prey. "In this transaction," says Ludlow, "those of the army showed great partiality by confining the satisfaction of arrears only to such

* The rapidity with which the scheme of general confiscation was carried out, is commonly illustrated by the fact, that in two days all the Catholic nobility and gentry of the counties of Meath, Wicklow, and Dublin, together with 300 gentlemen in Kildare, were indicted for high treason, and true bills found against them.

as were in arms in August, 1649, which was the time when the English army, commanded by Lieutenant-General Cromwell, arrived in Ireland: and though the hardships endured by those who were in arms before had been much greater, yet nothing could be obtained but such a proportion of lands in the county of Wicklow and elsewhere as was not sufficient to clear the fourth part of what was due to them." Cromwell's soldiers, therefore, may be said to have wrested the whole country to themselves.

All the conquered papists in the kingdom possessing more than £10, were divided into four classes, and each was subjected to a different degree of forfeiture—first, all persons who before November 10, 1642, had contrived, acted, or aided, the rebellion, murders or massacres which began in October, 1641; and all jesuits, priests, or other ecclesiastics, who had in any way therein contrived, aided, or abetted; and all persons who since October 1, 1641, had slain any person not bearing arms for the English, or who, not being maintained in arms under the command and pay of the Irish against the English, had slain any person maintained in arms for the English; and all persons who being in arms against the parliament of England, should not lay them down in 28 days, and submit to their authority.

Secondly, all persons (not being comprehended in any of the former qualifications) who had borne command in the war of Ireland against the parliament of England, were to be banished during the pleasure of the parliament, and to forfeit two-thirds of their estates: their wives and children, however, were to be assigned lands to the value of the other third, where parliament should appoint.

Thirdly, all persons of the popish religion (not being comprehended in any of the former qualifications) who had resided in the kingdom at any time, from October 1, 1641, to March 1, 1650, and had not manifested their constant good affection to the interest of the commonwealth of England, were to forfeit one-third of their estates, and to be assigned lands to the value of the other two-thirds, where the parliament should appoint.

Fourthly, all other persons who resided in Ireland within

the time aforesaid, and had not been in arms for the parliament, or manifested their good affection to its interest, having an opportunity to do so, were to forfeit one-fifth of their estates.

After the ordinance, which provided in the foregoing terms who should furnish the plunder, came another, which particularly explained who should appropriate it. The soldiers claiming arrears of pay were to take the forfeited lands in the counties of Tipperary, Waterford, or Limerick, in the King's and Queen's Counties, in Meath and Westmeath, Down, Antrim, Armagh, and in Louth, if necessary, the barony of Atherdee only excepted. The army still on service, but about to be disbanded, was to take other forfeited lands, commencing at Sligo, and running in a direction which would extend the line from the Shannon, by which it was proposed to keep the English and Irish separate and unmixed for ever after.

The various commissions appointed for putting these ordinances into execution—the surveys made to define the forfeited lands—the courts erected to determine military claims and Catholic delinquencies—had scarcely brought their labours to a conclusion, and the new proprietors had barely established themselves in their possessions, when the restoration opened up all rights and claims anew, and afforded another opportunity for sweeping injustice. The proceedings now resorted to proved to be far more unprincipled and unfeeling than could have been expected even from the ingratitude of a Stuart. Charles II. consulted in them his political interests only, and threw aside all considerations of generosity, virtue and propriety. The Cromwellians were in actual possession of the country, and he agreed with Ormonde, and the other Anglo-Irish landowners who offered the suggestion, that it would be most safe not to attempt to eject them, save and except from Ormonde's own estates and from the estates of a few equally well-disposed peers. They held moreover the parliamentary franchise and the corporations, and they had evinced no mean dexterity on their side, by voting large sums to the king, to the royal dukes his brothers, and to Ormonde. After much hesitation and delay, a paper drawn up by Broghill, now earl

of Orrery; Sir J. Clotworthy, afterwards Lord Masserene; and Sir Audley Mervyn, was eagerly caught at and acted upon by the king. In this document it was computed that there remained at present to be disposed of—

	£	
The estates of persons excepted by the act of indemnity, valued at . .	14,000	per annum.
Gifts and gratuities of Cromwell's to persons that had not served . .	9,000	
English debentures and debts struck off	10,000	
Lands in the county of Dublin not disposed of	15,000	
Lands in the county of Cork not disposed of	25,000	
Lands in the county of Kerry not disposed of	7,000	
Per annum .	£80,000	

Numerous estates in Connaught and Clare, to be discovered on further inquiry, were expected to increase this amount considerably, and thus it was asserted the king would be relieved from all his difficulties. A declaration for the settlement of Ireland was accordingly signed, November 30, 1660, in which Charles confirmed the possession of any lands held, May 7, 1659, under the acts of the English parliament, commonly called the Adventurers' Acts. Such deficiencies as might be proved before May 1, next following, were to be made good; all allotments of lands to soldiers in lieu of pay were confirmed, except church lands, estates obtained by bribery, prejudice, false admeasurement, or belonging to any of the regicides, or to persons who had endeavoured since the restoration to disturb the public peace, or had openly displayed their hostility to the king's restoration and government. Officers having unsatisfied claims for service before 1649, were to be satisfied for their respective arrears. Officers of the royal army were compounded with by receiving lands in satisfaction of their arrears of pay, at the rate of 12*s.* 6*d.* in the pound, and a rateable dividend of any surplus that might after-

wards accrue. Protestants, with certain exceptions, whose lands had been given to adventurers or soldiers, were to be restored, and the present possessors were to receive compensation, and were not to be made accountable for mesne profits. The Roman Catholics were differently dealt with. Innocent papists who had submitted to the Cromwellian settlement, and taken lands in Connaught, were to be bound by that act, unless they had subsequently served the king, in which case they were to be admitted to the recovery of the original estate, due compensation being first made for all repairs and improvements effected, and all incumbrances discharged by the actual possessor. Innocent papists in general were also to be restored, and the persons in possession of their lands reprised; but no papist was to be restored to an estate lying within any corporate town—it being held politic to confine all corporations for the future exclusively to the Protestants. Thirty-six of the nobility and gentry were specially enumerated, who were to be restored at once, without being put to any proof of innocence, or other trouble.

On the other hand, no person was to be restored who had been concerned in the attempted surprise of Dublin Castle in 1641; who at or before the year 1643 had not belonged to the royal party, or had lived within the quarters of the Confederate Catholics—except the inhabitants of Cork and Youghal, who, as already described, had been forcibly expelled from their habitations, and driven into the hostile lines by Inchiquin and Broghill, who, strange to say, now received themselves even more than they had before possessed. No man was to be deemed innocent, who had been actively engaged in the confederacy before the peace of 1648, or who had adhered to the nuncio, the clergy, or the papal power, in opposition to the royal authority; or who, having been excommunicated for his adherence to that authority, had acknowledged himself an offender, and obtained absolution. Whoever derived his title from persons guilty of these crimes—whoever claimed his estates on the articles of peace, and had thus acknowledged his concurrence in the rebellion—whoever in the Eng-

lish quarters had held correspondence with the Confederates, or sat in their councils, or acted under their commission—whoever had employed agents to treat with any foreign power for bringing forces into Ireland, or had acted in such negociations, or harassed the country as "Tories," (a name given to the marauding parties of disbanded soldiers who carried on a villanous system of war and plunder upon a petty but independent scale,)—after the departure of the marquis of Clanrickarde,—were all pronounced desperate rebels, and incapable of restitution.

This declaration, to borrow the language of the age, filled the hearts of the king's enemies with joy, and the hearts of his friends with despair. "The Irish," says Leland, "complained that the qualifications necessary to ascertain their innocence, were so severely stated, that scarcely any of their nation could expect a sentence of acquittal." The proverbial faithlessness of kings, and the particular insincerity of his father, were indicated in this document with a directness which gave the whole transaction the air of a practical satire. Even now the declaration reads like a string of invidious suggestions by Charles II. upon the life and reign of Charles I. The Protestant royalist received a composition, the Puritan republican full payment of his claims; the most suspicious passages in the late war were carefully marked out, as if to show that the high church party of the native Irish, who refused to trust the professions of the king and his lord lieutenant, had, with all their faults, an indisputable claim to the merit of having rightly discerned the character of the men they were dealing with, and proved not less sagacious than bold when they resolved not to be duped by their overtures. The two treaties of 1646 and 1649 were here referred to—all the solemn promises of Charles I. to the nuncio, on the true faith of a Christian, were significantly revived, and the host of persons who had been parties to the former, or believers in the latter, were specifically punished for their credulity, by being formally debarred from the only chance that was left them of recovering a remnant of their estates. If the most malignant

fanatic in the army of the Commonwealth had exhausted his mind in feigning a case to illustrate the baseness of kings, and the worthlessness of the Stuarts, he could not have produced one more caustic or conclusive than the real facts now before us establish.

Years were spent in negociations, appeals, and dissensions upon this exciting question: the parliament of England as well as the parliament of Ireland; and the privy council in London,* participated in the various proceedings to which it gave rise; the act of settlement was followed by the act of explanation; but the main conditions of the original award were preserved throughout, and remained unaltered at the end. When all was over, Sir Audley Mervyn, one of the authors of the paper on which the king had at first been induced to declare himself, pronounced the act of settlement the Magna Charta of the Protestants of Ireland. The justice of the opinion given by so competent an authority is not to be called

* Of these suits, one offers a passage of memorable interest. Both parties were heard, on a particular occasion, before the king in council; the united Protestant and Puritan interests, under the declaration, being supported by the earl of Orrery, and the Roman Catholic by Talbot, afterwards earl of Tyrconnel. These advocates were unequally matched. Orrery was distinguished, more, perhaps, than any man of his age, for his readiness and power in debating critical questions. He had displayed singular judgment and ability in the House of Commons, and came well prepared to this important discussion. Talbot, though not devoid of talent, was sanguine, impetuous, and indiscreet; and more thoughtful of the strength of his case than the strength of the interests by which that case was opposed. On both sides, as a matter of course, loyal services rendered, losses sustained, and monstrous outrages inflicted by the adverse faction, were dwelt upon at length. But at the end, Orrery confounded his opponents by producing copies of the formal authority given at Jamestown for excommunicating Ormonde, and offering the kingdom of Ireland to a foreign prince. Charles affected so much indignation at these proofs of the disloyalty of the Irish, that he broke off the audience, and forbad any petition or further address to be made by their commissioners. The papers so effectively produced by Orrery on this occasion have often been referred to, as proofs that the Irish really deserved to fare ill at the king's hands; but it is monstrous to describe any thing done at Jamestown as the act of the Roman Catholics of Ireland. The opinions of that body, as Charles should have remembered, had been pointedly expressed on this subject, when the supreme council ordered the jesuits' treatise to be burned by the common hangman, which advised the nation to throw off its allegiance to the English crown, and to choose as its sovereign a Catholic prince.

in question. Ormonde proved his attachment to the Protestant church by securing its re-establishment, and the restoration of its estates, before the debates upon the act of settlement were opened. His proposals for that purpose were cheerfully assented to, even by the Puritans, who felt indisposed to offend the government, and endanger the advantageous position in which they found themselves placed, by evincing their old horror of prelacy and the liturgy—abominations against which they had so profitably waged war. They consoled themselves in their inconsistency by making several fierce attempts to enforce the penal laws, and to eject the few Roman Catholics who had obtained seats in the House of Commons. But the two governments, English and Irish, sensible no doubt of the injustice already inflicted on the suffering body to which they belonged, refused to harass them further at such a crisis, and for the moment no fresh persecutions were inflicted. They were reserved for a future period. The present labours were adroitly confined, first, to the attainment of such legal provisions for the church as should secure to it all its property and ecclesiastical power; and secondly, to such a dispossession of the native Irish—who were almost to a man Roman Catholics—from their lands, as should also deprive them of political influence in the state. It was clearly foreseen that if these measures should be carried, the natives must cease to prove formidable, either to the crown of England or to the descendants of English settlers. And the measures were carried. Thenceforward the Protestant church, as the leading English institution in the country, became the rallying point and index of the English interest: to be a Protestant was to be an Englishman, and a member or a retainer of the despotic oligarchy which monopolized the state and the soil;—to be a Roman Catholic was to be a mere Irishman, and a slave, deprived of all political privileges and the rights of property.

The aim and end of this second settlement of Ireland, with the motives and conduct of the king, of Ormonde, and the other politicians, throughout the whole business, are demonstrated in a number of plain facts, which admit of no controversy. The

forfeited lands were in the hands of the Puritans; and only 36 persons having been specially restored, the great body of the claimants was composed of Irish Roman Catholics. The question really at issue, therefore, was whether the proprietors of the soil were for the future to be Roman Catholics or Protestants, Irishmen or Englishmen. The number of the claims entered amounted to 4,000, and the time allowed for considering and adjudicating them would, upon a moderate computation, have admitted of a decision upon about one out of the 4,000. The first commissioners put upon the Court of Claims were themselves deeply interested in the confiscations; but the universal outcry raised against an act of such open partiality, led to the appointment of Sir Richard Rainsford and six other Englishmen, principally lawyers, and all Protestants—men at the same time of reputation and integrity, who appear to have been neither ill-qualified nor disinclined to discharge the duties imposed upon them in a becoming manner. But the case was one which did not admit of being honestly dealt with: the commission accordingly was soon got rid of.

Rigorous as were the conditions imposed upon the unfortunate Irish, we learn from Cox the following result of the inquiries now made into their conduct:—"The commissioners began to hear cases, February 13, 1663, and in that month declared 38 innocent, and 7 nocent; in March, 53 innocent and 7 nocent; in April, 77 innocent and 5 nocent; and in the remaining months they decided 630 claims to the great dissatisfaction of the Protestants." This was a result for which all parties were alike unprepared. The Protestants found vent for their anger in a resolution of the Commons, declaring, "that they would apply their utmost remedies to prevent and stop the great and manifold prejudices and inconveniences which daily did and were likely to happen to the Protestants of Ireland by the proceedings of the Commissioners for executing the Act of Settlement." The Puritans, confounded by the apparent failure of the scheme for enabling them to retain their usurped property by the aid of

this judicial contrivance, resolved to try and make the sword defend what the sword had gained. They formed an extended conspiracy, copied in its main features from Roger Moore's plan of a simultaneous seizure of the principal towns; but the plot, being betrayed, like its original, was easily extinguished.* It produced nevertheless a portion of the desired fruit—the Court of Claims was adjourned, and Ormonde visited England to arrange some better mode of preventing the Irish from recovering their rights. He returned with the Act of Explanation and final arrangement, which had the effect of finally defeating justice to the Papists.† One provision of this rare piece of legislation will explain its general tenor. The first Court of Claims, as already explained, had decided, out of 4,000 claims, 817 only. In the teeth of that crying fact, it was definitively ordered—that every claim which had not previously been adjudged innocent, was for ever barred; —3,283 cases, wholly untried and unconsidered, were by this summary process disposed of as criminal and untenable! At the same time Ormonde rendered an important service to the political interests of his own religion by raising the first Protestant militia, in whose hands he placed 20,000 stand of arms.

Amongst the other misfortunes of the suffering Irish at this juncture, one is not to be omitted which added no light share of unpopularity to their cause. This was the accident of its adoption in the play of party tactics by such unprincipled politicians as the duke of Buckingham, Lord Ashley, afterwards

* This plot, like all others, had its bloody characters. The party, as we are told, was to rise in one night throughout the country, and to take the lives of all persons who would not consent to put down king, lords, and bishops, and set up "a sober and peaceful ministry" in their stead. Many Puritan ministers were imprisoned, seven members of the House of Commons were expelled, and five persons hung as parties to this conspiracy. Amongst its heroes was the notorious Colonel Blood, who afterwards attempted to hang the duke of Ormonde at Tyburn, and to steal the crown jewels at the Tower.

† There were two subsequent commissions—one in 1671, and one in 1672—granted to the energetic importunity of the Irish, and the undeniable hardship of their case; but although on both occasions the powers given to inspect the Acts of Settlement and Explanation, and the disposal of forfeited lands, were large, nothing came of them.

earl of Shaftesbury, and other persons who were struggling for the formation of the cabal ministry. These men, bent upon removing Clarendon and Ormonde as principal obstacles to their assumption of office, seized upon the Irish grievances as opportune matter to perplex the king and embarrass his ministry. But they had no true sympathy with the cause they advocated: while pleading against one description of Irish injustice, they did not scruple to add another item to the heavy catalogue they had to deal with. These were the statesmen who clamoured during a period of two years for an act of parliament prohibiting the importation of Irish cattle as "a nuisance." This piece of ignorant legislation was unavailingly opposed by all the duke of Ormonde's influence. When it passed, the king marked his dissatisfaction of the mischievous spirit out of which it had sprung, by issuing a proclamation, in which, to compensate the Irish for the loss of their cattle trade, he gave them permission "to hold commercial intercourse with every other country, whether at peace or war with him." Ormonde, too, distinguished himself by some highly patriotic exertions to supply new occupations for the displaced capital and industry of the country. One of his earliest cares upon recovering his estates was the revival of the linen trade, first established by the earl of Strafford. He dispatched persons into the Low Countries to learn the methods practised, and the regulations observed there, and invited over from Brabant and other places a considerable number of experienced hands. One body of these industrious emigrants amounted to 500. Some of them were located at Chapel Izod under Colonel Richard Lawrence, where houses were built for the weavers, and a considerable trade in cordage, sail-cloth, and linen grew up. Lawrence afterwards added, on his own account, the manufacture of woollen cloth. When the Irish cattle trade was put down, the duke, being advised that there was a favourable opening for a foreign woollen trade from Ireland, obtained a report from Sir Peter Pett on the manufacture of woollen cloth, and settled large colonies of woollen weavers at Clonmel, Kilkenny, and Carrick on Suir. In these towns, which were his own pro-

perty, the weavers who now introduced the woollen trade were Protestant Walloons, 500 of whom Ormonde employed Captain Grant to bring from Canterbury. By this attention and other encouragements, principally grants of long leases at low rents, this trade flourished in process of time. Its greatest prosperity belonged to a later period, and was occasioned by parliamentary bounties: a mere relic of it still exists at Kilkenny and Carrick on Suir.

The triumph of Charles's favourites over the Irish trade in cattle—it was far from being the last achieved by English statesmen over the elementary principles of political economy and common sense—was prosecuted to more important results. Clarendon was ruined; and Ormonde, after some awkward shuffling upon the king's part, was removed from office. In the intrigues by which this change was brought about, the earl of Orrery made his last appearance in the troubled drama of Irish affairs, sustaining upon the occasion his established character as a profound deceiver. The letters are extant in which, after Ormonde had detected his machinations, he protested his integrity in a strain of refined hypocrisy conceived and expressed in terms of the most polished eloquence. He intended obviously to make himself lord lieutenant; but though his party won the stake they played for, he for once missed to carry off the prize which had tempted him to take a hand in the game.

Ormonde was succeeded first by Lord Roberts, who was quickly removed, as being every way unsuitable; next by Lord Berkeley; and thirdly by the earl of Essex. There is little to be related of these administrations. Under the second, some slight relaxations of the penal laws, such as the appearance of Catholic bishops performing the common offices of their religion; and the nomination of a few country gentlemen of that persuasion to be justices of the peace, excited a furious clamour amongst the destructive faction which from about this period made itself notorious in the annals of the country, under the rallying cry of "Protestant Ascendancy in Church and State." Their strongest energies were roused into vigorous action by the production of some remarkable

charges of fraud in the proceedings under the Act of Settlement, and by the appointment of a commission to inquire into the manner in which that law was being carried into execution. Finding themselves unable to produce the desired effect upon the local government, or the court in London, they called upon the sectarian prejudices of the English parliament and people for sympathy and relief; and the appeal having been loudly answered, the obnoxious commission was superseded, and the lord lieutenant withdrawn. The earl of Essex, a man much superior to Lord Berkeley in point of talents and honesty, became disgusted with his situation at the end of five years, and solicited leave to retire. He could not obtain sufficient authority to administer the affairs of the country in the manner best calculated to promote the public good; and he would not compromise his independence by further countenancing a policy which his judgment condemned.

During the interval embraced by these two administrations, Ormonde occupied an undignified position at the English court. Much to the surprise of all men, and to the king's annoyance, he did not resign his office of lord steward when dismissed from the lord lieutenancy of Ireland. On no occasion was his character so fully revealed as this. The slights, the taunts, the affronts, which he now tamely brooked, are strong proofs to show that his nature was deficient in the qualities of true greatness. He convinced the world that his virtue was without pride, and would not resent indignity; that his honour, however pure, was of the most submissive kind; and that, where his interest was at stake, he could exhibit the resignation of a martyr. For the sake of his office and his standing at court, he was now content to endure an extent of disgrace little short of personal insult. The king, his courtiers, and the ministry, put no restraints upon their ill treatment of him. Charles, we are told by Carte, made it a rule to receive him with the most mortifying coldness, and to demonstrate, in the most public manner, that his presence was offensive and his attention fulsome. He was never consulted and seldom spoken to; and yet he waited daily at the palace, and took his seat at

every council, as if he was in the full enjoyment of the king's favour and possessed the confidence of his ministers.

Leland, and several writers after him, have paid the duke of Ormonde some high compliments for his conduct under these painful circumstances. In their estimation it was praiseworthy upon his part to maintain his position without concealing his sentiments on public affairs; without displaying any resentment; without deferring to the king's mistresses; without intriguing with the opposition, or making any exertion to vindicate his own or the public wrongs. So well did he manage to preserve an influence against the odds now brought to bear upon him, that "in the drawing-room his virtues and conciliating address," says Leland, "even in that profligate court, attracted a little circle around him, of those who had not yet lost all shame, independence of condition, and spirit." On such occasions the king, not daring to show him any civility, was abashed and confounded. "Sir," said the profligate wit Buckingham, "I wish to know whether it be the duke of Ormonde that is out of favour with your majesty, or your majesty with the duke of Ormonde? For, of the two, you seem to be most out of countenance here."

As the generality of persons will be more disposed to relish Buckingham's wit than to commend Ormonde's patience, it is but fair to give the view taken by the latter of himself in this business. He compared himself to a good old clock cast into a corner, but which always points right. How admirably he could preserve his temper in the midst of his disgrace, is well exhibited in a reply he one day made to Colonel Cary Dillon. That officer had solicited his interest in some suit, declaring that he had no friends but God and his grace. "Alas! my poor Cary," replied the duke, "thou could'st not have named two friends in the world who have so little interest at court."

Some difficulty has evidently been felt by those who have studied Ormonde's character, in endeavouring to supply a rational explanation of his behaviour during this uninteresting period of his life. To urge that he was actuated abstractedly by a sense of disinterested virtue, or religious devotion; or

more probable still, that a mixture of passiveness and obstinacy, naturally inherent in his constitution, will sufficiently account for his extreme subserviency; are hypotheses equally open to strong objections. Some more animating and powerful principle must have been at the bottom of a series of actions maintained for so many years with such pertinacious consistency. To us, Ormonde has always appeared to have been a man essentially stubborn, selfish, and crafty. These were the governing traits of his character; they are plainly distinguishable throughout all his negotiations and proceedings during the eleven years' war; and they remove, as soon as they are recognised, many of the doubts, which otherwise obscure our perception of the motives by which this strange passage of his life was regulated. We should remember, moreover, that he had Lord Clarendon's case before his eyes. There were points connected with that nobleman's fall, which could not fail to have operated as a warning to his friend. While Clarendon could face his enemies and meet the king, his person and property remained secure: it was not until he was driven away from court that his ruin was effected. Upon the mind of Ormonde, which was observant, and to some extent sagacious, a deep impression must have been produced by this direct example. He applied it to his own case; and that he might not again suffer banishment and the loss of his princely estates, he took the determined resolution upon which we have seen him acting with a perseverance so extraordinary and a fidelity so humiliating.

Such was the life of Ormonde, from the year 1668 to the year 1677. At the court, we see in him much that fills us with wonder without exciting any admiration. In Ireland, however, he supported his rank in a more becoming manner, and may be said to have enjoyed a high popularity. Even the Roman Catholics united in offering him manifestations of respect and attachment. True, he had on more than one critical occasion not shown himself their friend, but he had never proved their active enemy; and there was always something to hope from the gratitude of a man who received honours

while out of favour at court. His style of living, moreover, was upon a scale which always imposes upon the multitude. The castle of Kilkenny, to which he had moved from the castle at Carrick on Suir, was a court in itself, where two hundred gentlemen every day sat down to table.

At length the period drew nigh at which he was to govern in Ireland for the fourth time; and it is singular to remark that the influence which brought him back to power was the last by which we should have supposed such an event to have been produced. For several years Charles had not exchanged a familiar or confidential word with him. For a whole year, though daily in attendance, the king had not deigned to speak to him at all. In the month of April, 1677, however, the king suddenly invited himself to sup with Ormonde. The entertainment, upon which the duke spent £2,000, was cheerful; there were no explanations, discussions, or references to the past. On parting, the king signified his intention of again employing him in Ireland; but the splendour of his hospitality seems only to have made Charles reflect, without pleasure or commendation, upon the singularity of his general conduct. The next morning he saw the duke at a distance, advancing to pay his usual respects. "Yonder comes Ormonde," said Charles; "I have done all in my power to disoblige that man, and to make him as discontented as others; but he will be loyal in spite of me." From this moment he was publicly regarded as the new lord lieutenant,—not for his constancy, however meritorious—not for his talents, however respectable—not for his attachment to the Protestant interest, however sincere—and still less by way of reparation for the neglect and the ill-treatment, however undeserving, to which he had for nine years been subjected;—but solely because the duke of York, whose influence was now in the ascendant at court, could light upon no better expedient to prevent one man, the duke of Monmouth—whom of all others he most feared and hated,—from being appointed to this situation, and enjoying in it a foretaste of the royal authority which he was correctly supposed to be bent upon obtaining. The devoted patron of

the Roman Catholic religion thus became the instrument of replacing at the head of Irish affairs the ablest and most persevering assertor of the Protestant interest in that country. Such is the chance medley of politics—such are the inconsistencies which designing statesmen are continually driven to commit.

In forming a judgment of Ormonde's last administration, we may fairly enough permit ourselves to be influenced by the fact, that Cox finds nothing to relate of it but a series of measures adopted to harass the Roman Catholics. When the Popish plot broke out in England, Ormonde countenanced the wicked delusion in Ireland, by ordering all officers and soldiers to repair to their garrisons; and all bishops, priests, and other dignitaries of the church of Rome, to depart out of the kingdom. Further proclamations followed in the same strain. November 2, 1678, all Papists were commanded to deliver up their arms by a certain day. November 20, all Papists were forbidden to enter the castle of Dublin or any other fort or citadel; and the markets of Drogheda, Wexford, Cork, Limerick, Waterford, Youghall, and Galway, were ordered to be held outside those towns. Another proclamation of the same date, says Cox, offered rewards for the discovery of military men going to mass,—the scale was £10 for every commissioned officer, £5 for every trooper, and 4*s*. for every foot soldier. In December there was a proclamation ordering a strict search to be made after bishops and priests. In March, 1679, it was directed by proclamation that the Popish priest of every parish in which a murder or robbery was committed, should be seized and transported beyond the seas, unless within fourteen days the offender was delivered up to justice. A reward was next offered for the discovery of a Jesuit or a titular bishop; and then it was ordered that the Popish inhabitants should be removed from Galway, Limerick, Waterford, Clonmel, Kilkenny, and Drogheda. In consequence of this proclamation, says Cox, "many were expelled, but by the stupidity of the Protestants let in again."

We are not to suppose that these edicts were innocuous

demonstrations, and that Ormonde was not seriously bent upon reducing his Roman Catholic fellow-countrymen to an abject condition of political inferiority. He repeatedly evinced, in his conduct towards them, all the deliberation which can be required to prove a fixed intention and determined purpose. He did not, however, run into excesses, but reproduced the half-measure course of action which he had observed on more than one previous occasion. As he had executed only upon "moderate terms" the vindictive mandate of the lords justices to pillage and plunder the country at the beginning of the eleven years' Civil War, so he now put gently into force the persecuting policy of the reign of Charles II. He seized upon a vague charge of rebellion, and kept close prisoner, in Dublin Castle, Talbot, the Roman Catholic archbishop of Dublin, an aged ecclesiastic, lingering in the last stage of a dangerous disease; and he transported to England another Roman Catholic prelate, Plunket, archbishop of Armagh, whose subsequent trial and execution at Tyburn form one of the blackest passages of the disgraceful plot which included him amongst its numerous victims.

In the closing scenes of his long career, Ormonde's principles and conduct underwent no change. He participated as little in the unprincipled fury of Shaftesbury and the Titus Oates politicians who embroiled England under Charles II., as he had sympathized with the malignity of the Parliamentarians and Puritans who prostrated the monarchy under Charles I.;—yet he yielded to and acted with both of these factions. He was led to put a constraint upon his natural dislike of both by his ambitious love of office and a wary conviction that his vast property was only safe from spoliation while he held the power to protect it in his own hands. Religion had long swayed every other consideration, public and private, with the great body of the people in the two countries; and we are not without distinct evidence of Ormonde's real sentiments upon this important question. Writing officially to Lord Anglesey in 1680, he observes, that "to tell him of the insolent deportment and signal perfidy of the Popish clergy of

Ireland, is to preach to him that there is pain in the gout;" and he protests that he would rather be rid of them than of that disease. Writing privately, during the period of this last administration, to Sir R. Southwell, he says, "I know well that I am born with some disadvantages, in relation to the present conjuncture, besides my natural weakness and infirmities; and such as I can no more free myself from, than I can from them. My father lived and died a Papist; and only I, by God's merciful providence, was educated in the true Protestant religion, from which I never swerved towards either extreme,—not when it was most dangerous to profess it, and most advantageous to quit it. I reflect not upon any who have held another course, but will charitably hope, that though their changes happened to be always on the prosperous side, yet they were made by the force of present conviction. My brothers and sisters, though they were not very many, were very fruitful, and very obstinate (they will call it constant) in their way; their fruitfulness hath spread into a large alliance, and their obstinacy hath made it altogether Popish. It would be no small comfort to me if it had pleased God it had been otherwise, that I might have enlarged my industry to do them good, and serve them, more effectually to them, and more safely to myself. But, as it is, I am taught by nature, and also by instruction, that difference of opinion, concerning matters of religion, dissolves not the obligations of nature; and in conformity to this principle, I own not only that I have done, but that I will do, my relations of that or any other persuasion all the good I can. But I profess, at the same time, that if I find any of them who are nearest to me acting or conspiring rebellion, or plotting against the government and the religion established amongst us, I will endeavour to bring them to punishment sooner than the remotest stranger to my blood."

The sincerity of these opinions was thoroughly understood by the duke of York, who was roused by the loud complaints of the Roman Catholics to make strong efforts for the subversion of an administration formed by his influence. By an

odd coincidence, Shaftesbury, the great fabricator of plots and promoter of cabals, laboured assiduously to accomplish the same object from very different motives. For some time, however, the king resisted with firmness every overture made for this purpose. Instead of yielding to the pressure against Ormonde, he for a while sustained him firmly. In 1682 he sent for him to London, where, by way of rewarding his services in Ireland, he made him an English duke. Ormonde now spent two years in England, cognizant if not participating in an endless variety of intrigues and machinations. In the year 1684 he returned to Ireland, and resumed his office; but though his old enemy Shaftesbury was now no more, the power, to which he had so long tenaciously clung, was at last about to be taken from him. Charles wrote him a letter, in which he announced that it was absolutely necessary to effect many and very general changes in Ireland, and on that account to transfer the lord lieutenancy to the earl of Rochester. Before this could be done, Charles died, but James II. lost no time, upon ascending the throne, in completing the arrangement. "Ormonde and his council had barely time to proclaim the new sovereign with great solemnity but dismal countenances," says Cox, "when the recal of the lord lieutenant was publicly notified." In retiring from the government of Ireland, Ormonde may be said to have taken leave also of public life, for, with the exception of the resistance which he offered in the House of Lords to the proposed repeal of the penal laws and the Test Act, we find his name associated with no further measures of importance. He died August 4, 1688, aged 78, and was buried in Westminster Abbey, where the bodies of his wife and two sons had been previously consigned to a vault long known as the Ormonde vault.

The character of the duke of Ormonde has been frequently reviewed of late years, and the more it has been examined the less it has been esteemed. Carte's biography, prolix, partial and heavy, created, and for some time supported, an exaggerated idea of his merits and importance. No one thought

of reading two enormous folios, with a third volume of appendices; but every one took it for granted that the man must really have been great, concerning whom so much could have been published in so expensive a form. Time, however, never fails to rub off the lacquer of fictitious reputations. If, in now seeking to form our estimate of the talents and public services of Ormonde, we turn not to the eulogy of his biograpgrapher, but to his actions, we shall find, upon a close and impartial examination of them, that no honest judge can praise him highly. During the whole course of his long life he enjoyed, except under the Commonwealth, an almost unbroken tenure of office. The servant of a bad man is not necessarily a bad man himself; but in this case it may be safely asserted that he was a very patient one: and in truth patience was almost the only virtue which Ormonde possessed. Even that he carried to an extreme point, at which it ceased to command admiration. We see, while tracing his career, that he failed repeatedly to preserve his own dignity; and we lose, after making that discovery, our respect for his character. He endured the insincerity of Charles I. and the profligacy of Charles II. with equal resignation; and though frequently condemning the policy and the actions of both, he co-operated with them, and zealously promoted their interests. This was generally done, however, without partaking in their vices or being infected by the contagion of their examples. He stands almost alone amongst the public men of his age, eminent for the morality of his private life and the consistency of his political principles. While some of his compeers forfeited all public esteem by practising shameless tergiversations, he continued to be always popular with his party by the constancy with which he laboured to strengthen their interest and to preserve their superiority. While others of his order were wasting away their estates in courtly excesses and extravagant debaucheries, he was steadily improving his fortune. And yet he was neither mean nor avaricious. His retinue and establishment were maintained on a scale commensurate with his

elevated rank and large income. When he opposed the exclusion of Irish cattle from the English markets, he displayed a commendable degree of information, spirit, and ability,—the value of which it would be ungenerous to lessen, as some writers have done,—by intimating that, being the largest landed proprietor in Ireland, he was sure to be the heaviest sufferer under the edict. Neither is it fair to speak lightly of his efforts to compensate for the loss of this export trade, by developing new sources of emolument in its stead. It is true that the whole commercial and industrial system of the country was then a rude compound of error, partiality and abuse—it is also true that established evils of this kind are strengthened by attempts to palliate their consequences; but it is not the less a fact, that men in general will seldom set its true value upon any right, or take pains to secure it from being abrogated or abridged, before they have found by experience that it is profitable. Upon this ground the introduction of manufactures was a judicious and patriotic act. It promoted the employment of the people; and by assisting the master and the workman to acquire property, raised them both in the scale of civilization, and gave them additional strength to contend against their powerful rivals in England for that full share of the privileges of the constitution which was then and long after denied them.

Upon the whole, the duke of Ormonde may be fairly pronounced a man of a careful mind and sedate constitution—temperate and firm in his opinions and in his actions—who shunned the excesses and mitigated many of the evils of an era full of guilt and errors; but who had neither the genius to discover how these were to be substantially removed, nor the energy to carry into full effect the imperfect measures suggested by others for their correction. He was necessarily defeated, therefore, as a politician and a general by the Roman Catholics and the Puritans; and he claims our notice and remembrance solely on account of the one great fact accomplished during his successive administrations. When first he undertook the direction of affairs, five-sixths of the landed pro-

prietors of the country, upon a moderate computation, were Roman Catholics. While he governed, this large majority was wholly dispossessed and forced to disappear; so that when at last he was displaced, we find the odds turned the other way, and the fee simple of the soil almost wholly transferred to Protestants or to Puritans, who, in order to retain the lands he had been the chief means of securing to them, had become members of the established church. The Irish fabric of Protestant ascendancy in church, state, and property, was thus mainly raised by James Butler, twelfth earl, and first duke of Ormonde,—a fatal labour preceded by one civil war, and followed by another.

By this prominent historical fact, different men, according to their prejudices, will paint the complexion of his career either bright or dark; and the character of the individual will be not unfairly judged of by the means to which he stooped in producing the important result for which his government is memorable. His long resistance to the claims of the Confederates, notwithstanding the king's importunities in their behalf; the treaties by which he was nevertheless induced twice over to grant those claims in the most formal manner, and by which he solemnly bound himself to maintain the rights conceded as portions of the law and constitution of the country; and lastly, the responsible part he took in violating those treaties, and in conducting two administrations under which every former concession was swept away, and the Roman Catholics were deprived of their property, their civil franchises, and religious privileges;—these, the leading and most influential passages of his mature life, will teach us that Ormonde had few pretensions to rank as an honourable or consistent politician, and none to the higher praise of having served his country with good effect. His policy contemplated the utter prostration of the native Irish, and his measures were speedily followed by the complete realization of his policy. He was about the last of the original race of adventurers who swayed the destinies of the people; and he pressed their fate severely down to the lowest depths of suffering and degradation.

CHAPTER XI.

OUTLINES OF THE HISTORY OF THE CONNECTION WITH ENGLAND—*continued.*

JAMES II. AND TALBOT, EARL OF TYRCONNEL.—THE REVOLUTION OF 1688 DECIDED IN IRELAND.—THE ROMAN CATHOLICS IN POWER.—JAMES II. LANDS IN IRELAND, AND HOLDS A PARLIAMENT.—LEGISLATIVE MEASURES PASSED.—INCIDENTS AND CHARACTER OF THE WAR.—ADDITIONAL CONFISCATIONS.—TREATY OF LIMERICK VIOLATED, AND PERSECUTION CONFIRMED.—UTTER PROSTRATION OF THE NATIVE IRISH AND THE ROMAN CATHOLICS FOR A LONG SERIES OF YEARS.

THE short reign of James II., ending in the Revolution of 1688, was in some of its more interesting points a passage of Irish rather than of English history. In England, the rejection of one king and the substitution of another in his place, was a bloodless change suggested by the intelligence, and carried without violence by the determination, of the people. In Ireland only, where obstinate misgovernment had deadened all sympathy with the feelings of the sister country, the fugitive monarch found officers and soldiers eminent for their skill and valour, to fight with honour, though without success, for his claims to a crown which he was every way unworthy to hold. The revolution of 1688 was thus confirmed, if not decided, by Irish battles.

The government of Ireland under James II., as under his immediate predecessors, fell almost exclusively into the hands of an individual. Richard Talbot, earl of Tyrconnel, a man elevated to station and command by the commotions of the age in which he lived, was born at the commencement of the war of the Confederates. Very early in his career he was a

witness to scenes which produced an indelible impression upon his mind. He was in Drogheda, and yet a boy, when the town was sacked by Cromwell. The cruelties committed on that and other dreadful occasions, engendered in him a spirit of hostility against English tyranny, and an abhorrence of religious fanaticism, which ever after continued to exercise a powerful influence upon the actions of his life. Always conspicuous for attachment to his sovereign, he had been the companion of his exile, and first acquired the personal friendship of James II. in the days of their common adversity. Returning to Ireland at the restoration, he naturally took a leading position in the ranks of those who relied with confidence upon the fulfilment of the articles of peace established by Ormonde in the year 1648, as the just reward of their loyalty to the house of Stuart. But the professions of the exiled prince were lost in the policy of the restored monarch. Charles II. became the patron of the English Protestant interest in Ireland; and the rights of the Roman Catholics, however well founded and strongly guaranteed, were utterly incompatible with that scheme of government. Talbot was one of the original agents appointed by his suffering fellow-countrymen to appeal against the king's declaration for the settlement of Ireland; and hopeless as upon the first trial that cause was shown to be, we recognise the natural warmth and vigour of his character in the repeated efforts he afterwards made to mitigate its extreme rigours, and to expose the enormous frauds committed in carrying it into execution. But energy and courage were almost the only qualities by which he was in any way adapted to discharge the duties of a negotiator upon so trying an occasion. These qualities he soon displayed in a striking manner. His party, perceiving their suit ill-received and their presence unwelcome, adopted the reasonable opinion that the duke of Ormonde was not their friend. It was agreed that Talbot should remonstrate with him upon the subject, and he did so, but with so little address, that finding he could make no impression by his arguments, he upbraided his opponent with duplicity, and challenged him

to fight. This mode of arranging the points at issue having been declined, a complaint was lodged with the privy council, and Talbot was immediately committed to the Tower, from which he was only released upon making an humble submission.

In 1678, Talbot was one of the numerous persons arrested as conspirators in the Popish plot, but so little could be adduced against him that he was allowed to leave the kingdom. Upon his return a natural feeling of resentment led him to offer a determined opposition to the government of his old antagonist, the duke of Ormonde. The removal of that nobleman having been unceremoniously effected by James II. as soon as he became king, Talbot was created earl of Tyrconnel, and made lieutenant-general of the Irish army, while the earl of Clarendon was sent over to succeed, as lord lieutenant, Primate Boyle, and Forbes, earl of Granard, who had been lords justices for a short interval, and had given equal dissatisfaction to Protestants and Puritans,—Boyle being reputed to be half a Papist in his religious opinions, and Granard a sincere patron of dissent. Ere long, Clarendon retired, and for the first time since the introduction of the Protestant religion, a Roman Catholic, in the person of Tyrconnel, assumed the office of chief governor.

Up to a very recent period, almost all English writers of reputation or authority have treated of Irish affairs during the reign of James II. without moderation or fairness. Regarding the English and the Irish policy of that unfortunate sovereign, as emanating from the same source and directed to the same ends, they have overlooked essential differences in the condition of the two countries, and have characterized the persons now entrusted with power in Ireland as the determined abettors of despotism and bigotry. If they are to be judged, however, either by the measures which they advised, or by those which they carried into execution, they will not be found to have deserved much either of odium or dispraise.

The attempt to establish the Roman Catholic religion as the religion of the state in England, was deservèdly unsuccessful,

because it was opposed to the principles and feelings of the people of the country. But the Englishman who vindicates the spirit of his forefathers in resisting that unwarrantable interference with the rights of conscience, is bound by the force of the rule, which he properly applies in his own case, to extend a corresponding liberty to others. Upon no other terms can civil or religious independence be held to exist; upon no others is it possible to conceive that any country can remain internally at peace, in which different forms of religion happen to be cultivated. The principle which justified the erection of the Protestant church as the state establishment in England, demanded a similar ascendancy for the Roman Catholic church in Ireland. English statesmen, however, have invariably refused, in religion as well as politics, to reduce their doctrines of government into practice equally in the two countries. The only opportunity ever possessed by the Irish people of dealing freely in a legislative capacity with their own interests in these respects, occurred during the short reign of James II. It will be instructive to notice how far they took advantage of the powers then placed in their hands, to rectify preceding errors, or to prove to the world, as their enemies so constantly asserted, that they were unfit to be entrusted with the rights and franchises of freemen. The king alone excepted, it was not Englishman against Irishman, but Protestant that was now fearfully arrayed against Catholic. For although religious considerations weighed more with James II. than any others, he never stood clear of national prejudices.*

* The Roman Catholics of Ireland suffered a heavy load of obloquy and a long train of persecutions for their attachment to James II. The punishment due to his offences against the constitution were visited upon their heads with a malignity which soon reduced the two religions to the same level of intolerance. A more heartless persecutor does not appear in history than the English Protestant of the eighteenth century in Ireland. But James is to be considered less as a Roman Catholic than as a Stuart. All the vices and defects of his grandfather and his father were condensed in his character, and strongly developed in his actions. It was his nature, and not his religion, that made him a tyrant when on the throne, and a poltroon after he had abandoned it. In other respects, there is little to be observed of him that is not also to be said of all bigots, who are ever essentially the same, no matter what the form of religion may be under which they are reared.

Protestant ascendancy he sought anxiously to destroy—the English interest in Ireland he steadily laboured to preserve. But with the Protestants of Ireland, every relaxation of the penal laws, however slight, operated as a flaw in the title-deeds of their estates. The confiscations sanctioned by the Act of Settlement rested upon the presumption that Roman Catholicism and disloyalty were different denominations of the same offence, and equally dangerous to the state and to its most ardent supporters. To advance an Irishman, or to favour a Papist, was to impugn the justice of the established order of things, and open out an endless roll of smothered claims to a re-distribution of almost all the landed property of the country. So strong was this feeling, that as soon as Lord Clarendon was recalled, and Lord Tyrconnel was made lord lieutenant, Protestants, we are told, fled terror-struck from the country.* If conscience-struck had been coupled with terror-struck, a more correct explanation would perhaps have been given of the panic. The dread of Irish cruelty could not have prevailed to such an extent as that described, without a commensurate sense of the depth of Irish wrongs.

We are to bear in mind the state in which Ormonde had left the country. When first that nobleman became lord lieutenant, the Roman Catholics were freely admitted to serve the crown and the public in a civil as well as military capacity, and they also formed a principal portion of the corporate bodies through the island. But before Ormonde ceased to govern, the Roman Catholics could neither hold a political employment, nor even reside within a corporate town. Accordingly, when James II. ascended the throne, to give to the

* Fifteen hundred Protestant families took ship and abandoned their homes, when Lord Clarendon sailed for England. The consternation, particularly in the large towns, was terrific. Men, women, and children rushed to the shore, and wildly embracing the sailors' knees, implored that they might be taken on board. Property to a large amount was left behind; they who fled were overwhelmed with grief; they who could not obtain a passage were wild with despair. What ideas of past oppression are suggested by these accounts! How tremendous must the persecution have been, when the bare possibility of a power to retaliate could excite alarm so universal and excessive!

Catholic was not merely to take from the Protestant, but to invade the exclusive right to power, place, and property, held to vest in the latter, who, moreover, feeling that one successful innovation is often enough to sweep a whole system away, now raised his loudest outcry against the measure, which was in itself legitimate enough: for James had an undoubted right to change his lord lieutenant, and to appoint a Roman Catholic to the office. But all the measures of that king have been equally blamed—a few that were good, as well as the many that were bad. The perverseness of his nature was like a fate that ruled him—always unfortunate. The best act of his reign was the most illegal. Finding it impossible to procure an act of parliament for the repeal of the test and penal laws, he published a Declaration of Indulgence to all religious sects, which he ordered to be read in the churches. The principle enounced was admirably just, but the form in which it appeared assumed the right to declare laws without the consent of parliament, and was properly resisted as an act of despotism.

The Irish, inured to invasions of the constitution, were delighted to find the royal prerogative strained to do them service. Clarendon and Tyrconnel were applauded when they changed the judges, placing a majority of Roman Catholics upon the bench; when they dismissed from the service a number of officers and soldiers, enlisting Roman Catholics in their stead; and when they forced the corporations to resign their charters, and then arranged that, for the future, two-thirds of those bodies should consist of Roman Catholics and one-third of Protestants. These are the cardinal offences charged against the Irish administration, before the abdication of James; and there is something ludicrous in the unreasonableness with which they have been assailed. Good taste and wisdom in all things were far from constituting the qualities by which Tyrconnel's government was distinguished; but the virulence is monstrous which censures him for admitting a number of Roman Catholics to the bench, the army, and the corporations, but which passes over, without a comment, their

total exclusion by Ormonde and so many subsequent lieutenants. The partiality of these censurers is too furious to deserve serious reproof or exposure.

The principal measure of Tyrconnel's first parliament has been abused in the same spirit and with as little cause. Heads of a bill were framed, to indemnify the Catholics who had been declared innocent by the Court of Claims during the late reign, and to provide a new commission for the adjudication of the claims which had not been hitherto heard. The consequences of such a law would no doubt have been inconvenient in the extreme to a number of persons; but, on the other hand, a much larger number had been suffering for years from a total denial of justice. Under such circumstances, an honest government must have regarded legislation upon the subject as an imperative duty. If it be argued that restitution would have been impolitic certainly, and probably impossible, it will still be evident that compensation was due to the injured; and as that was not to be determined without some definite authority to settle the details, the proposed bill was required on more grounds than one. The mob in England, however, raised a clamour, and defeated the intention. The fugitive Protestants, through the press and in society, had made the usual appeal to national and religious antipathies. When Chief Baron Rice, a man of profound learning and the purest character, repaired to London, as one of the agents of the Catholics, to argue the question before the privy council, the rabble hooted him through the streets, and formed a mock procession to the court, carrying long poles before him, with potatoes stuck at the tops, and crying out, "Room for the ambassadors from Ireland." The tumult grew so loud, and the excitement so dangerous, that even James was afraid to make an effort in favour of his friends, and the bill was thrown out.

After William III. had landed and James II. had escaped [illegible]nce, Tyrconnel's conduct was not destitute of address. [illegible]embled with the Protestants, and sought to quiet their [illegible]y expressing his desire for an amicable arrangement,

while he kept up the courage of his own party by strengthening the army. Finding something more decisive called for than diplomatic demonstrations, he opened negotiations with the new and with the old king, and seems to have been at first disposed to yield the government to William. The terms offered to him were certainly inviting—full security of person and property to the Catholics—equality of civil rights, and possession of one-third of the churches in the kingdom: and these would, to all appearances, have been accepted, but for the agent chosen by William to make them the basis of an agreement with Tyrconnel. That agent was Richard Hamilton,* a brave officer and a man of ability, but in this instance unfortunately misled by the dissensions openly raging between the English Whigs and Tories, into a belief that the restoration of James would be secure, if his party should hold out in Ireland. He therefore dissuaded Tyrconnel from submitting to William, and encouraged him to maintain the kingdom for his lawful sovereign. Another destructive civil war was the consequence of this advice.

The series of military operations beginning with the siege of Derry† and ending with the siege of Limerick, are too well known to be related here. The bravery with which both these cities were held from a superior force was heroic. The defence of Londonderry, crowned as it was with success, appears the more brilliant affair; but Limerick, though ultimately reduced, claims the honour of having in the first siege repelled the English commanded by William in person, after

* This gentleman's sense of honour was not of the quickest kind. He was a prisoner in England, when William proposed that he should go to Ireland, and gain Tyrconnel's assent to the terms mentioned. He was set free upon undertaking the mission; but he urged hostilities instead of a surrender, and took up arms against the objects of his own embassy. Curiously enough, he was the only prisoner of rank taken in the first battle William fought in Ireland—the battle of the Boyne.

† True courage is always humane. The Derry men, who on this occasion distinguished themselves by an endurance of privations never exceeded, treated their enemies with great forbearance. They allowed the governor, Lundy, and the magistrates, who would have surrendered the town, to depart uninjured; and they contented themselves by depriving the few Catholics who inhabited the town of their arms.

he had reduced Wexford, Duncannon, Waterford, and Clonmel. The battle of the Boyne, in which both kings took the field, may be said to have been in a manner lost before it was fought—in consequence of the perverseness of James, who insisted upon engaging the enemy contrary to the advice of his generals, and who bespoke defeat by hiring a vessel to convey him to France in the event of misfortune. Athlone, long gallantly attacked and more gallantly defended, was mainly captured through the blind confidence of General St. Ruth, a perfect Frenchman of the old school, whose courage and skill in war were considerable, but whose vanity was excessive. At the battle of Aughrim, the ruin of the English army was all but complete, when a cannon ball suddenly deprived the Irish of their commander, and an overwhelming defeat ensued.

It is almost impossible to trace the events of this war, and to resist one impression constantly presented to the mind. The evil genius which seems always to have oppressed the Irish, pursue them relentlessly throughout its whole course. Ever and anon an ominous fate appears striking their assiduous labours with sterility, while destiny repeatedly turns aside the tide of success at the moment it is about to flow full upon their ranks. We see Schomberg in his first campaign, notwithstanding the men and money voted by the English parliament, penned up in his intrenchments near Dundalk, the flux and a burning fever wasting his army, which, at last, crawls into winter quarters through a lane formed by the piled up bodies of the unburied dead. Yet James was in the field all this time, and was warmly urged by Marshal Rosen to destroy an enemy incapable of defending themselves. At the close of another campaign, we behold William, notwithstanding the battle of the Boyne, repulsed at the siege of Limerick, with the loss of 2,000 men, whence leading his diminished army away hopeless of success, he withdraws to England, at once victor and vanquished. We are struck by these remarkable occurrences,—by the high spirit with which, to the last, the Irish maintained a sinking cause; by the numbers who rushed to arms, as death swept numbers from the field;

by the length of time to which they protracted the war, and by the force required to subdue them. That force amounted to no less than six and thirty thousand men—veterans gathered from various nations—the wild and morose Enniskilleners,* sprung from the Levellers and Covenanters of the old civil war, hardened by their prejudices, and infuriated by their fanaticism—Danes, Germans, and Dutch, who had spent their lives in arms—the black banditti of the "Thirty years' war," practised in all crimes, and familiar with abominations too horrid to describe—who literally lived on murder and rapine—and the energetic Englishman seasoned to the fight. This formidable mass of chosen veterans, led on and commanded by generals such as Schomberg, William III., Marlborough, and Ginkle, was resisted during four campaigns by the mere Irish. England had pressed into her service the soldiers of many nations; her humble opponents only received the support of some troops from France.† Yet such was the heart and courage with which the natives rallied round their colours, that when they mustered for their last review,‡ after the treaty of Limerick,

* The body of troops, of which frequent mention is made in all histories of this war under the name of Enniskilleners, were of Scotch descent, and settled upon the plantation of Ulster. They formed themselves into bands, and, originally, drew together in the county of Fermanagh more from abhorrence of Popery than fear of danger. The first position they took up was at the town of Enniskillen, which they fortified in a rude manner. They chose Gustavus Hamilton, afterwards created Viscount Boyne, as their colonel, and Thomas Loyd as their lieutenant-colonel. Their actual force, in 1689, was 17 troops of light horse, 30 companies of foot, and a few ill armed troops of heavy dragoons. They were distinguished by their want of discipline, their obdurate courage, and ferocious cruelty.

† The reinforcements sent over by France on more than one occasion were considerable—but at times an equivalent body of troops was required in exchange. In 1690, for instance, 5,000 Frenchmen arrived—but 5,000 Irish, under the command of Macarty More, one of the best of the native generals, went to France in return. The army of William was not weakened by any substitutions of a similar kind.

‡ In the little volumes by Doctor Cooke Taylor, entitled *The Civil Wars of Ireland*, there is a graphic sketch of this scene. "On the 4th of October, Talmash, at the head of five British regiments, occupied the English town of Limerick; and on the following day the Irish army was paraded on the King's Island, in order that they might choose between the service of England and France. Ginkle and Sarsfield addressed them

but one opinion prevailed—the opinion that the strength which they still possessed, and the spirit by which they were still animated, must, if the war continued, have transferred the possession of Ireland to France.

It was, moreover, to this seal of fate stamped upon the exertions of the native population—to this strong character of predetermined failure, developed in all their struggles, and bearing down all their genius and valour, that we are to ascribe the enormous cruelties by which they were racked and harrowed during the continuance and long after the close of the war. The mercenary foreigner, the prejudiced Englishman, and the

in different proclamations; the former recommending William, the latter Louis, as a master. It was then agreed, that on the ensuing morning the army should be again paraded and marched past a flag which had been fixed at a given point. Those who chose England were to file to the left; those who preferred France were to march on.

The sun, perhaps, scarcely ever rose on a more interesting spectacle than was exhibited on the King's Island, when the morning for the decision of the Irish soldiery arrived. The men paraded at an early hour; the chaplains said mass, and preached each a sermon at the head of their regiments. The Catholic bishops then went through the lines. They were received with military honours, rendered more imposing by the affectionate devotion which the native Irish have ever shewn to their prelates. After this ceremony, refreshments were distributed to the troops, and a message sent to Ginkle and the lords justices that "all was ready." The Irish army, 15,000 strong, received the British *cortége* with presented arms. The lords justices and the generals rode slowly through their lines, and declared that they had never seen a finer body of men. Adjutant-general Withers then addressed them in an excellent speech, recommending the English service in very forcible terms; after which the army broke into columns, and the word 'March' was given.

"The walls of the town were covered with citizens; the neighbouring hills were covered with the peasantry of Clare and Limerick; the deputies of three kings stood near the flag; but, when the decisive word was given, the deepest silence reigned through the vast and varied multitude, and not a sound was heard but the heavy tread of the advancing battalions. The column was headed by the Irish Guards, 1,400 strong—a regiment that had excited Ginkle's warmest admiration. They marched past the flag, and seven men only ranged themselves on the side of England. The next two regiments were the Ulster Irish, and they all filed to the left. Their example, however, was not generally followed, the greater part of the remainder declared in favour of France. A similar scene took place at the cavalry camp; and out of the whole, Ginkle only obtained about 1,000 horse and 1,500 foot. So little pleased was he with this result, that he was inclined to pick a quarrel with the Irish leaders; and the treaty would have been broken almost as soon as signed, but for the presence of the French fleet, which forced the English authorities to suppress their resentment."

fanatical Scotch settler appear to have one and all carried about with them a common conviction, that however boldly the Irishman might turn upon his foe, it was impossible that he could triumph. There was a reckless indifference to consequences, a ruthless and exterminating vengeance, a wanton indulgence in barbarity displayed against the occupiers of the soil, which can only be accounted for on the supposition that punishment and retaliation were held by the oppressor to be utterly beyond the reach of the oppressed. This fierce inhumanity, so much at variance with the higher qualities of the English character, and the bitter cause of much of the hatred with which the name is still visited in Ireland, was begun by the troops under Schomberg, who, flagrantly violating the terms upon which Carrickfergus capitulated, stripped and plundered the inhabitants, and subjected the women to indescribable indignities. The licentious brutality of the regular army was surpassed by the sanguinary executions of the undisciplined Enniskilleners. These bewildered desperadoes, welcoming death when it came, as martyrdom in the service of the Lord, regarded the slaughter of a Papist or the burning of his cabin as an act of virtue. They gave no quarter in the field, they cut down the retreating enemy with remorseless severity, and hung the captive, as soon as taken, on the nearest tree. Even William III. stained his high character by holding out threats of atrocious vengeance. When he summoned Drogheda to surrender, after the battle of the Boyne, he declared that, if resisted, he would give no quarter. When James's party withdrew from Dublin, a Protestant mob, after plundering the houses of the wealthy Catholics, set fire to the suburbs, and proposed to wrap the city in flames. This violent spirit was kept rampant by another commission of forfeitures, and a proclamation which, while it offered pardon and protection to labourers, farmers, and artisans living in peace, left "the desperate leaders of the rebellion to the chances of war." The king's language and conduct being of this immoderate description, the excesses of his soldiers, as a matter of course, were boundless. Wherever they

halted—particularly at Athlone and Limerick—they ravaged the country around, and burned the houses; brutal lust and barbarous murder hung upon their march, and made their presence every where so terrible, that in estimating the amount of destruction effected during the war, we may safely set down one half of the deaths and losses to the account of the outrages committed off the field of battle by William's force, and to the retaliations which the peasantry were thus incited to inflict.

The administration of civil affairs in Ireland during this period presents features of more than usual interest. Almost for the first time in the history of the connection with England, the natives appear every where in the possession of the offices of government, and of the highest posts in the country. An Irishman and a Roman Catholic is lord lieutenant; and in both houses of parliament, in the corporations, and in the army, Irishmen and Roman Catholics preponderate. The spirit in which the people now used their power, the extent to which they took vengeance for the past, and provided future security for liberty and property,—their demeanour during a brief interval of dominion, and the laws passed by them while constituting a decided majority of the legislature,—are points which excite the liveliest attention, and reflect a light upon the whole surface of Irish history.

The reception given to James when he landed at Kinsale, with a force of 1,200 Irish and 100 French, in the month of March, 1689, displayed the highest degrees of public unanimity and enthusiasm. It seemed as if all parties, English and Irish, Protestant and Catholic, had agreed to prove that he had evinced as much judgment as patriotism, when he declared that he would owe his restoration, not to the help of foreign arms, but to the assistance of his own subjects. Meeting Tyrconnel at Cork, whom he at once made a duke, he proceeded to Dublin, where the higher orders of the Roman Catholic clergy, attired in their proper robes, formed part of his state retinue. The ceremonies observed upon his entrance into the Irish capital were marked by the usual pomp and

solemnity, and by loyal demonstrations from all classes of the people.* He began the business of governing by issuing five proclamations. By the first, all Protestants who had left the country were ordered to return, under pain of forfeiting their estates; by the second, all Catholics who did not belong to the army were ordered to bring in and deposit their arms in the royal stores; by the third, the terms were regulated upon which the army was to be supplied with provisions; by the fourth, the value of money was raised; and by the fifth, the parliament was summoned to meet in the ensuing month of May. These measures appear as moderate and reasonable as the circumstances of the country permitted, always excepting the folly of supposing that the value of money was to be increased by the declaration of a state paper.

The proclamation for the meeting of parliament was dated March 25, 1689; and during the same year, minutes of the proceedings were printed in London in a small 4to tract. The Protestant bishops were summoned as usual, but there

* Dr. Lesley, in his "Answer to Archbishop King's State of the Protestants in Ireland," gives a ludicrous account of the buoyant pliability with which the clergy of the established church accommodated their consciences to the shifting circumstances of the time. "Before the association in the North of Ireland," says the Doctor, "September, 1688, they prayed for King James; the beginning of March following, they proclaimed the prince of Orange king, and prayed for him; the 15th day King James's army broke their forces at Dromore, in the North of Ireland, and reduced all but Derry and Enniskillen—then they prayed again for King James, that '*God would strengthen him to vanquish and overcome all his enemies.*' In August following, Schomberg went over with an English army,—then, as far as his quarters reached, they returned to pray the same prayer for King William, the rest of the Protestants still praying for victory to King James and for the people; and yet now tell us, that all that while they meant the same thing,—four times in one year praying backwards and forwards—point blank contradictory to one another." To some minds this will appear an amusing, to others a melancholy, extract. One effect to be produced by it is certain—we are bound to adopt, with extreme caution, the professions of a party acting with such violent inconsistency. They assure us that their loyalty was unimpeachable, and that they stood true to James until he deserted England, and until the outrages of his Irish adherents compelled them to arm themselves with pikes and scythe-blades. But if there is one historical fact more strongly established than another, it is the disloyalty of the Protestants in the North of Ireland, long before the flight of James: their agents were in communication with William before he landed in England, and they were themselves in the field before James had abdicated.

was a majority of Roman Catholics in both houses.* James opened the session on the 8th of May in person, with a speech every way judicious and satisfactory. The loyalty of the Irish was acknowledged with praise,—violations of the rights of conscience and of property were repudiated with abhorrence,—equal protection was promised to Protestants and Catholics, together with a ready assent to any laws beneficial to the nation;—after which the distressed condition of trade and manufactures, and the sufferings of those who had unjustly lost their estates under the Act of Settlement, were recommended as fit subjects for early and attentive consideration.

The tone of this speech was well preserved in the character of the parliamentary proceedings, with a particular exception. An act of attainder was passed, by which all known or suspected adherents of William were required to come in and surrender themselves before a certain day, or to suffer forfeiture of their real and personal property. It was calculated that two thousand persons would have been affected by this law, which specially provided that if the obnoxious parties did not establish their innocence within a limited period, the king should not have the power of pardoning them. The severe injustice of this measure admits of no observations in its defence. It followed the bad precedents set by the parliaments of Charles I. and Cromwell, and furnished an unnecessary incitement to the violence of William's party in executing similar penalties.

In other respects, the Roman Catholic parliament distinguished itself by the wisdom and liberality of its evanescent legislation. It sat for only two months, and entertained thirty-five bills. Amongst these, two of the first brought forward were most important. The one forbad writs of error and appeal to England, and the other declared that Ireland

* This was effected in the Lords by reversing the attainders of several Roman Catholic peers, and by newly creating others. The persons selected in both cases were of ancient family and estate. In the Commons the usual interference with the elections took place, and the influence of government was every where exerted to the utmost in behalf of its own candidates.

could not be bound by the acts of the English parliament. James was present in the Lords when both measures were discussed, and gave them his support. But another effort made to secure the independence of the Irish legislature failed in consequence of his opposition. A bill was introduced to repeal Poynings' laws. When the report was brought up, the Commons were informed "that the king would have a clause that he and his heirs should have the bill first agreed to by him and his council before it should pass the Commons." It was ordered to be printed, "the house being inclined to be as free as the parliament of England;" but it was not proceeded with. Amongst the few unsuccessful measures of this short session, was one which showed a wise liberality. Chief Justice Nugent proposed a sweeping repeal of the Acts of Settlement and Explanation, but his bill was thrown out on the second reading. A more moderate provision, of which Chief Baron Rice, and the attorney-general, Sir R. Nagle, were the authors, succeeded. Six bishops and four temporal peers entered a protest against this act. Another good bill abolished patents for life. But the law of all others by which the Roman Catholic parliament did itself the highest honour, was the celebrated "Act for Liberty of Conscience, and for repealing such Acts, or Clauses in any Act, as are inconsistent with the same." As a companion to this admirable piece of legislation, worthy of the most enlightened age, was another which equitably settled the difficult question of tithes, by providing that every person should pay them to his own pastor. Such were the principal labours of the parliament of Ireland under James II. It reflected lasting shame upon the members of the English legislature, that they not only took the earliest opportunity of repealing them all, but ordered them to be burned by the common hangman in Old Palace Yard.

A stain of blacker dye attaches to the unprincipled forfeitures enforced by William, and to the violation of the treaty of Limerick. The latter was the price upon which 15,000 men had agreed to lay down their arms. There is no principle of faith or honour by which kings, governments, or

nations can be bound, which did not imperatively demand the sacred fulfilment of that heavy obligation; and yet it had scarcely received the stamp of the great seal of England, when it was openly infringed.

The loss of Tyrconnel, who had died a short time before in Limerick of vexation and a broken spirit, was a fatal event for his party. Had he been alive, more efficient conditions would, in all likelihood, have now been insisted upon and obtained. The language used in this treaty, though framed by Sir T. Butler, was certainly not as precise as was desirable. By a strange omission, no mention was made of the lands already confiscated. But although lawyers may affect to make out a case against the Irish by raising technicalities, defects, and objections, there are broad and specific grounds upon which a breach of faith is unquestionably chargeable against William and his ministers. The Irish had a right to include in the general terms adopted at this juncture, the particular concessions previously offered. It is besides well known that more favourable particulars were embodied in a proclamation which was on the eve of publication, when the news of the treaty of Limerick reached Dublin. Sir R. Cox, finding the war concluded, suppressed the document which would have set the case of the vanquished beyond dispute.

Let us, however, review these documents by themselves, and judge of their purport by the language in which they are framed. There were two sets of articles—one civil and the other military; but the former were the more important. The Roman Catholics of this kingdom, said the first of the civil articles, shall enjoy such privileges in the exercise of their religion, as are consistent with the laws of Ireland, or as they enjoyed in the reign of Charles II.; and their majesties will endeavour to procure the said Roman Catholics such further security in that particular as may preserve them from any disturbance upon the account of their said religion. The people of the kingdom having been thus far provided for, the second of the civil articles dealt with all the inhabitants or residents of the city of Limerick, and the counties of Lime-

rick, Clare, Kerry, Cork, and Mayo, together with all officers and soldiers in arms under any commission from King James, —to these and their heirs the possession and enjoyment of their estates were granted, and of all the rights, titles, and interest, privileges, and immunities which they held, or were rightfully and lawfully entitled to, in the reign of Charles II.

Comparing these pledges with the subsequent enactments of the English and the Irish parliaments, we blush for the loss of honour and humanity in both legislatures. We see in the heading and preamble of the law subsequently passed upon the subject, how clearly the law-makers held the articles to have been unfairly dealt with. They call the measure not a bill for the confirmation of "*the* articles"—but of "articles;" and such they profess to confirm, or "so much of them as may consist with safety and welfare," &c. After setting forth the object of the act in this mutilated style, they omit altogether the first article, which embraced the Catholics of the kingdom; and they exclude the guarantee given in the second article for the free exercise of trades and professions. There were other essential limitations, but it would be a waste of time to specify them. To the credit of the Irish House of Lords, it should be remembered that thirteen members were found in that body—six of whom were Protestant bishops—just and spirited enough to protest against this shameful breach of the public faith. They recorded their dissent from it in five reasons, expressed with a bitter truth that gives their language the point of sarcasm. They protest—1. Because the title of the bill doth not agree with the body thereof, the title being "An Act for the Confirmation of Articles made at the Surrender of Limerick," whereas no one of the articles is therein fully confirmed.—2. Because the articles were to be in favour of them to whom they were granted, but the confirmation of them by the bill is such that it puts them in a worse condition than they were before.—3. Because the bill omits these material words,—"*and such as are under their protection in the said counties*,"—part of the second article; and several persons have been adjudged within the second article accordingly, who

will, if this bill passeth, be entirely barred and excluded from any benefit of the second article.—4. Because several words are inserted in the bill which are not in the articles, and others omitted which alter the sense and meaning of some part of the articles.—5. Because many Protestants may and will suffer by this bill in their just rights and pretensions, by reason of their having purchased and lent money upon the credit of the said articles.

The government to whom language so just and forcible was addressed without effect, was soon beset with difficulties. The lords justices wrote to England, that they received complaints from all parts of the ill treatment of the Irish who had submitted, who held their majesties' protection, or were included in the articles; and that they were so extremely terrified with apprehensions of the continuance of that usage, that some thousands of them, who had quitted the Irish army and had returned to their homes, came back to the government and pressed earnestly for permission to go to France rather than stay in Ireland, where, "contrary to the public faith, as well as law and justice, they were robbed of their substance and abused in their persons." * * * "Justices of the peace, sheriffs, and other magistrates," according to Harris, ("Life of William III." p. 357,) "presuming on their power, illegally dispossessed their majesties' subjects not only of their goods, but of their lands and tenements, to the great disturbance of the peace, the subversion of the law, and the reproach of government." While this was the treatment of persons who were admitted to be entitled to protection, the sufferings of those who were held to be objects of punishment may be easily conceived.

So strong was the desire of oppressing the Irish at this time, that the parliament of England ran before the parliament of Ireland in producing measures of severity and degradation. They passed an act, 3 William & Mary, c. 2, "for abrogating the Oath of Supremacy in Ireland, and appointing other Oaths." By this statute the Catholics were excluded from the Houses of Lords and Commons, and the

English legislature effectively assumed the right of binding the people of Ireland by laws not made in their own parliament. Few as were the pretensions to independence which that body could claim, so bold and unreasonable an invasion of its powers was naturally resented. They made some efforts to resist the attack upon their authority, but were overpowered by a bolder spirit and more determined hand. Mr. Molyneux, member for the University of Dublin, published a tract justly celebrated, entitled "The Case of Ireland's being bound by the Acts of Parliament in England." But the work was pronounced dangerous by the English Commons, and ordered to be burned by the hangman. They selected the strongest passages, and went up with them to the king, calling upon him "to exert his royal prudence, and to take all necessary care that the laws which directed and restrained the parliament of Ireland in their actings should not be evaded." William returned a tame answer, promising that "what was complained of should be prevented and redressed," and ere long a monstrous proof was given of the unwillingness of the English parliament to suffer the right which they had usurped to lie idle or inoffensive. The importation of wool and woollen manufactures from Ireland was prohibited under pain of confiscation, imprisonment, and transportation; and it was further enacted, that persons tried and acquitted in Ireland for offences under this statute should not be allowed to plead such acquittal in bar of a new indictment for the same act in England. Another foul blow was thus struck against the struggling commerce of Ireland. Equal ignorance and injustice were displayed in the interference of the English parliament with the cattle trade of Ireland under Charles II., and with the woollen trade of that country under William III.

While the English parliament was engaged in asserting this insulting dominion over Ireland, the Irish parliament was intent upon fortifying the Protestant ascendancy by increased severity against the Roman Catholics. There was an act passed to prevent the education of their children abroad; another to deprive them of the possession of arms; a third to

banish out of the kingdom all the clergy of that religion; a fourth to prevent Protestants from marrying Papists; and a fifth to prevent Papists from practising as attornies.

These harrowing details form an indispensable portion of every account of Irish affairs, past or present. For their influence is powerful to this hour. It is only by going patiently through them, that we can fully understand the language in which such men as the Lord Chancellor Clare and Edmund Burke have spoken of the conduct of England at this juncture; and it is only by considering how pregnant that conduct was with every quality by which anger could be provoked, and resentment perpetuated, that we can account for the animosity which is still vividly displayed in all political matters by the Irishman of the present day against his fellow subject in England.

The following passage has been often quoted, and is generally known; but it is too true and too pointed in its reference to the subject immediately before us to be omitted here. Lord Clare—he was the colleague of Lord Castlereagh and Mr. Pitt—gave the following summary of the different Irish forfeitures, ending with those of William III., in his celebrated speech on the Legislative Union between the two countries:—

"After the expulsion of James from the throne of England, the old inhabitants made a final effort for the recovery of their antient power, in which they were once more defeated by an English army; and the slender relics of Irish possessions became the subject of fresh confiscations. From the report made by the commissioners appointed by the parliament of England in 1698, it appears, that the Irish subjects outlawed for the rebellion of 1688 amounted to 3,978, and that their possessions, as far as could be computed, were of the annual value of £211,623, comprising 1,060,792 acres. This fund was sold, under the authority of an English Act of Parliament, to defray the expences incurred by England in reducing the rebels of 1688; and the sale introduced into Ireland a new set of adventurers. It is a very curious and important

speculation to look back to the forfeitures of Ireland incurred in the last century. The superficial contents of the island are calculated at 11,042,682 acres. Let us now examine the state of the forfeitures :—

	Acres.
In the reign of James I. the whole of the province of Ulster was confiscated	2,836,837
Set out by the Court of Claims at the Restoration	7,800,000
Forfeitures of 1688	1,060,792
	11,697,629*

"So that the whole of your island has been confiscated, with the exception of the estates of five or six families of English blood, some of whom had been attainted in the reign of Henry VIII., but recovered their possessions before Tyrone's rebellion, and had the good fortune to escape the pillage of the English republic inflicted by Cromwell; and no inconsiderable portion of the island has been confiscated twice, or perhaps thrice, in the course of a century. The situation, therefore, of the Irish nation at the Union stands unparalleled in the history of the inhabited world. If the wars of England carried on here from the reign of Elizabeth had been waged against a foreign enemy, the inhabitants would have retained their possessions under the established law of civilized nations, and their country have been annexed as a province to the British Empire."†

* The forfeitures of the preceding century by Elizabeth and Mary appear in Vol. I. p. 302, as 2,838,972 acres.

† The impolicy of these forfeitures was strongly felt at the very time they were declared, and their illegality was afterwards pointedly referred to by more than one impartial historian. They were repeatedly denounced by Ginkle, who found them heavy impediments to the conclusion of the war. But there was a reckless faction who represented them as indispensable to the maintenance of the Protestant interest, and they were persisted in. The character of these patriots is forcibly drawn by Ginkle :—"I did very much hope," he writes, "on one occasion, that some favourable declaration might have been emitted to break the Irish army and save the cost of a field of battle. But I see our civil officers regard more adding £50 a year to the English proprietary in this kingdom, than saving England the expence of £500,000. I promise myself it is for the king's, the allies',

Mr. Burke's letter to Sir H. Langrish describes the feeling of the people of England towards Ireland during the reign of William III., and for years after, in this expressive strain:— "By the reduction of the kingdom of Ireland in 1691, the ruin of the native Irish, and in a great measure, too, of the first races of the English, was completely accomplished. The new interest was settled with as solid a stability as anything in human affairs can look for. All the penal laws of that unparalleled code of oppression which were made after that last event, were manifestly the effects of natural hatred and scorn towards a conquered people, whom the victors delighted to trample upon, and were not at all afraid to provoke. They were not the effects of their fears, but of their security. They who carried on this system looked to the irresistible force of Great Britain for their support in their acts of power. They were quite certain that no complaints of the natives would be heard on this side of the water with any other sentiments than those of contempt and indignation. Their cries served only to augment their torture. Machines which could answer their purpose so well, must be of an excellent contrivance. Indeed, at that time in England the double name of the com-

and England's interests to remit most, or all the forfeitures, so that we could immediately bring the kingdom under their majesties' obedience." Ginkle made many representations to this effect, but always without success. Before Athlone fell and the battle of Aughrim was gained, he solicited, and was refused, a proclamation promising protection and security of person and property to all who would submit. The utmost he could obtain from the lords justices was permission to offer reasonable terms in his own name to all who were then in arms. So much for the impolicy of the forfeitures—as for their illegality, Macpherson puts the whole question impartially in his "History of Great Britain."—"The peculiar situation of the country," he says, "seems to have been overlooked in the contest. The desertion upon which the deprivation of James had been founded in England, had not existed in Ireland. The lord lieutenant had retained his allegiance. The government was uniformly continued under the name of the prince from whom the servants of the crown had derived their commissions. James himself had for more than seventeen months exercised the royal function in Ireland. He was certainly *de facto*, if not *de jure*, king. The rebellion of the Irish must, therefore, be founded on the supposition that their allegiance is transferable by the parliament of England. A speculative opinion can scarcely justify the punishment of the great majority of a people. The Irish ought to have been considered as enemies rather than rebels."

plainants, Irish and Papists, (it would be difficult to say which, singly, was most odious,) shut up the hearts of every one against them. Whilst that temper prevailed in all its force to a time within our memory, every measure was pleasing and popular, just in proportion as it tended to harass and ruin a set of people who were looked upon as enemies to God and man—and, indeed, as a race of bigoted savages who were a disgrace to human nature itself."

There are no witnesses of higher authority to be called, and no writings more eloquent or convincing to be quoted, than those here produced. With such testimony before us to regulate our opinions, this imperfect account of the reign of William III. may well close. The condition of Ireland, and the disposition of Englishmen towards the people of that country, could not have been more forcibly exhibited. It is clear, beyond the possibility of dispute, that the old evils were all preserved and continued—and that, however firmly the principles of political freedom may have been established, and the rights of conscience secured in England by the revolution of 1688—in Ireland that great event effected no improvement whatever in the government, and tended to aggravate, rather than to lessen, the grievances of the inhabitants.

CHAPTER XII.

OUTLINES OF THE HISTORY OF THE CONNECTION WITH ENGLAND—*continued.*

THE CENTURY DURING WHICH IRELAND HAS NO HISTORY.—QUEEN ANNE.—GEO. I.—GEO. II.—GEO. III.—EXTENT OF THE PENAL LAWS.—THE ENGLISH PROTESTANT SYSTEM TRIUMPHANT.—PRIMATE BOULTER AND PRIMATE STONE.—GENERAL RUIN.—THE GOVERNMENT BANKRUPT.—HENRY GRATTAN.—THE VOLUNTEERS.—FREE TRADE.—INDEPENDENCE OF THE IRISH PARLIAMENT.

THE century of abject prostration, during which it has been observed that Ireland has no history,—during which a bishop* of the established church, preaching from the pulpit to the lords justices, maintained that Protestants were not bound to keep faith with Papists,—during which there is little to relate but details of the "ferocious legislation of Queen Anne"†—the last, and, to Ireland, the worst of the Stuarts,—during which the Protestantism of the Irish ascendancy consisted of "hatred of Popery, ignorance of Christianity, and a total absence of moral principle,"—may be summarily dismissed. A bare recapitulation of the principal persons and events, a general description of the state of the country, and an abstract of the penal laws, will be enough to preserve of an age painful to contemplate and disheartening to describe. A new era will then open upon us: the genius and patriotism of an individual, pure in the midst of general corruption, will be found snatching for a while independence for his country,—a glorious but untenable possession, which shone forth brightly for a short interval, and then fell away—reminding us of one

* Dopping, bishop of Meath.
† Burke, "Letter to a Peer," &c.

of those flashes of extraordinary intelligence which are sometimes seen, for a brief interval immediately preceding dissolution, to gladden and expand the mind of a man dying of long disease, suffering and prostration, and which, after dazzling for a few moments, and raising hopes as deceitful as unexpected, vanish into darkness, and with the individual for ever cease to exist in this world.

The first lords justices appointed by William III. were Viscount Sydney, Sir C. Porter, and Mr. Coningsby. Their administration was soon broken up by internal dissensions. Sydney was intent upon violating, while Porter, who was lord chancellor, vainly strove to maintain, the treaty of Limerick. Sydney called a parliament, but interfering with the right of the Commons to originate money bills, he was obliged to prorogue the session, with an emphatic complaint against the ingratitude of the members to their great deliverer. Upon his recall, Lord Capel, Sir Cycil Wyche, and Mr. Duncombe took office. They appear to have agreed as little as their predecessors had done respecting the degree of faith which it behoved them to keep with the Irish. At length, Capel being found the man most likely to fix the Protestant ascendancy upon the desired elevation, his colleagues were removed, and a parliament was summoned in 1695, which made considerable progress in the odious work demanded at its hands. The duke of Ormonde* and Earl Wharton, successively lords lieutenants in the years 1702 and 1709, so completely exhausted the subject, that from the former year to 1782 we find, amongst a

* This was the second and last duke, son of the gallant earl of Ossory. He was named James, and played a sorry game in the politics of his day. He was amongst the first of the nobility who abandoned James II. and hailed the arrival of William III. By the latter king he was employed in a military as well as a civil capacity on several occasions. His administrations—for he was twice appointed lord lieutenant—first in 1702, and again in 1710—of the government of Ireland, were marked by a display of splendour never before equalled. He was one of the lords of the English privy council who proclaimed George I., but was dismissed by that sovereign from all his offices. Being soon afterwards impeached of high treason, he fled to France, and was attainted. His estates were forfeited, his honours extinguished, and a reward of £10,000 was offered for his apprehension in the event of his attempting to land in Ireland.

long list of amended and improved penal laws, the record of only one new penal enactment.

There is amongst the manuscripts, belonging to the king's library in the British Museum, a work, bound up in two small 4to volumes, and entitled "An Account of Ireland, 1773." There is no author's name on the title, and nothing to distinguish the contents but this motto—

"Vitam impendere vero;"

and the internal evidence they offer of being the production of an accomplished writer, thoroughly acquainted with his subject. The following account of the penal laws from this manuscript is valuable, not solely because it is well written and accurate, but still more so, because it presents the opinions entertained of that terrific code by intelligent men at the time it was in full force.

"But the most remarkable transaction in Ireland during the reign of Queen Anne was the passing of what are called the Popery Laws, which, though equally repugnant to good policy and humanity, have yet remained unrepealed and unmitigated since their first institution. If they have in any case undergone alterations or amendments, those alterations and amendments have been only to sharpen their acrimony and invigorate their blows. As these laws have been represented by many as the true basis of civil liberty and the Protestant religion in Ireland, I shall here endeavour to trace their origin, and describe their progress and operation.

"In the reign of King James I. a number of new settlers from England and Scotland arrived in Ireland, which was then mostly Popish, and, with a new religion, brought over a new schism or source of contention with the old inhabitants, many of whom were of English descent, and equally tenacious of the ancient opinions and possessions. The jealousy of the natives impeached the title of the stranger—the stranger encroached on the rights of the native; the first complained of legal injustice—the latter of fraud and violence; contest begot contest, and often litigation sprung from decision. The Protestant

abhorred the idolatrous Papist, and the Papist damned the reprobated Protestant. The mode of faith now became the motive of enmity, whilst the original ground was forgotten, and the most sacred institution was converted into an instrument of mutual injury and hatred.

"The severe government of Strafford contained these animosities within bounds; but no sooner was he removed, than the old inhabitants broke out into open hostility and rebellion. After a fierce but ineffectual struggle they were totally subdued, and became obnoxious to almost every calamity which can befall the vanquished.

"An army of new settlers, and mostly of a newer religion, whether Independents, Anabaptists, Socinians, Muggletonians, Brownists, or Millenarians, now obtained large grants of forfeited lands in Ireland, and from these adventurers are descended some of the principal persons of the kingdom in opulence and power. Most of these settlers were men of an untoward republican spirit, and of the sourest leaven, who eagerly adopted the most harsh and oppressive measures against those upon whose ruin they rose.

"The Restoration had secured to them their property, and the Revolution armed them with power; this power, instead of using it with justice and moderation, they stretched to the utmost rigor, and determined ultimately to crush, if they could not immediately destroy: they did not, however, all at once unmask their designs; they proceeded by cautious steps; and in the reign of King William, most of their provisions against Popery may be justified on the principles of sound policy; but in the reign of Queen Anne they threw off all reserve, they avowed their intentions, and executed them to the full: for this purpose they passed those acts which have now, for these seventy years past, been the established law of the land, and which form the most complete code of persecution that ingenious bigotry ever compiled.

"It is but justice to the administration of England to mention, that they did not willingly give their consent to

these severe statutes; but not choosing, or not venturing to avow their disapprobation, they cunningly clogged the bills with a clause which they imagined would infallibly occasion them to be rejected: this clause, which introduced the sacramental test as a necessary qualification of office and employment, could not be very palatable to an assembly where some of the principal leaders were Covenanters and Presbyterians: but these leaders, on this occasion, in their severity to the scruples of others, forgot their own, and conscience was suffered to sleep while persecution walked abroad. The bills were passed; and the edict against Popery, like the laws of the Medes and Persians, was never to be changed; but the test clause relative to the Dissenters, it was hoped, might at a favourable opportunity either be repealed or evaded.

"There is no doubt that both justice and prudence authorize penal laws against Papists in a Protestant country. The wisdom of every state must secure itself from every danger on every side. During these two centuries past, religion has been considered as an adventitious part in the policy of almost all the governments in Europe, and in some is so interwoven with the constitution, that the ruin of the one involves the destruction of the other. This has long been an established opinion in England, and thence England early and continually guarded against the perils of Popery. But she has done it with dignity, with judgment and moderation: she looked on Popery as on her other foes, whose secret machinations she might apprehend, but whose open assault she defied. To the lot of Ireland it has fallen to ingraft absurdity on the wisdom of England, and tyranny on the religion that professes humanity; by her laws against Popery, the bonds of society, the ties of nature, and all the charities of kindred and friendship are torn to pieces. Those are allured who could not be compelled, traps are laid for youth and inexperience, and it becomes a maxim of state to encourage the profligate and reward the ungrateful; the concord of brothers is dissolved, the son is armed against his father, and the hus-

band and wife are taught to break through the most sacred and tender attachment, when invited by interest, inconstancy or libertinism.

" It is no longer the Protestant that is to be on his guard against the Papist; but the Papist must be armed at all points, and watch day and night against the legal assaults of his wife, his children, and his kindred; if all their affections are secure, yet his neighbour has an interest to become an informer against him, his sword of defence may wound himself, and the hospitality of his roof may leave him without a roof to shelter him; a bill of discovery may strip him in a moment of all his possessions.

" Precluded from offices of public trust or emolument, the Papist* is even deprived of the comforts of private life in the

* In order to perfect this sketch, and to verify the striking averments with which it abounds beyond dispute, it will be desirable to give the heads of the different acts of parliament by which so heavy a load of injustice and cruelty was declared legal. The following list is taken partly from the second edition of the "History of the Penal Laws," by Sir H. Parnell, afterwards Lord Congleton, and partly from the Index to the Irish Statutes. There were in force against the Catholics at the time of the Treaty—

1. An Act against the authority of the See of Rome. It enacts that no person shall attribute any jurisdiction to the See of Rome; that the person offending shall be subject to a premunire; and that all who have any office from the king, every person entering into orders, and taking a degree in the university, shall take the oath of supremacy.

2. An Act restoring to the crown the ancient jurisdiction over the state, ecclesiastical and spiritual. It likewise enacts that every ecclesiastical person, and every person taking office, shall take the oath of supremacy.

3. An Act for the uniformity of common prayer. It enacts that every person, having no lawful excuse to be absent, shall, every Sunday, resort to some place of worship of the established church, or forfeit 12*d.*

4. An Act by which the chancellor may appoint a guardian to the child of a Catholic.

5. An Act by which no Catholic schoolmaster can teach in a private house without a license from the ordinary of the diocese, and taking the oath of supremacy.

6. The new rules by which no person can be admitted into any corporation without taking the oath of supremacy.

The acts subsequent to the Treaty were—

1. The 7 Will. III. c. 4, which deprived the Catholics of the means of educating their children either at home or abroad, or of being guardians of their own or of any other person's children. It was of this act that Burke remarked,—" Whilst this restraint upon foreign and domestic education was part of a horrible and impious system of servitude, the members were well fitted to the body. To render men patient under a

bosom of his family; his children may be taken from him, and educated at his expence in a profession he dislikes. If he

deprivation of all the rights of human nature, everything which could give them a knowledge or feeling of those rights was rationally forbidden. To render humanity fit to be insulted, it was fit that it should be degraded."—*Letter to a Peer, &c.*

2. An Act to disarm the Catholics, and to limit the binding of Roman Catholics as apprentices. 7 Will. III. c. 5.

3. An Act to banish Roman Catholic priests. 9 Will. III. c. 1.

4. An Act to prevent Protestants from intermarrying with Papists. 9 Will. III. c. 3.

5. By 10 Will. III. c. 8, an Act for the preservation of game, it was declared unlawful to employ a Papist as a gamekeeper.

6. An Act to prevent Papists from being solicitors. 10 Will. III. c. 13.

7. 2 Anne, c. 3. An Act to prevent Popish priests from coming into the kingdom.

8. 2 Anne, c. 6. An Act to prevent the further growth of Popery.

9. 2 Anne, c. 7. An Act for regulating the Popish clergy.

10. 4 Anne, c. 2. An Act to amend the Act for registering Popish clergy.

11. 6 Anne, c. 6. An Act to amend the Act for preventing Papists from being solicitors.

12. 8 Anne, c. 3. An Act to explain the Act for preventing the further growth of Popery.

13. 12 Geo. I. c. 3. An Act making it felony for a Popish priest to celebrate marriages between Protestants and Papists.

14. 1 Geo. II. c. 22. An Act for regulating the admission of barristers at law, six clerks, and attornies, and for better strengthening the Protestant interest: forbids the admission of any person to these professions, who shall not prove that he has been a Protestant for two years.

15. 7 Geo. II. c. 5. An Act for the amendment of the law relating to Popish solicitors.

16. 7 Geo. II. c. 6. An Act to prevent converts from Popery, or persons married to Popish wives, or educating their children in the Popish religion, from being justices of the peace.

17. 13 Geo. II. c. 6. An Act to amend and render more effectual the Act of William III. for disarming Papists.

18. 19 Geo. II. c. 7. An Act for more effectually preventing his Majesty's subjects from entering foreign service, and for publishing the Act of William III. to prevent foreign education.

19. 19 Geo. II. c. XI. An Act for better regulating the election of members to serve in parliament.

20. 19 Geo. II. c. XII. An Act for the better regulating of corporations.

21. 21 Geo. II. c. 10. An Act to amend and make more effectual the two preceding Acts.

22. 23 Geo. II. c. 10. An Act for rendering more effectual the Act to prevent marriages by Popish priests.

23. 23 Geo. II. c. 14. An Act in relation to the appointing high and petty constables.

24. 29 Geo. II. c. 5. An Act to prevent the return of such persons as now are, or hereafter may be in the service of the French king.

These were the infamous laws by which the rigors of preceding perse-

entertains a Popish bishop or regular priest in his house for their instruction, he is punished for the first and second

cutions were reviewed, re-arranged, and reinforced. It is of these that Sir H. Parnell, afterwards Lord Congleton, wrote as follows:—"The Catholics, in place of being the free subjects of a prince from whom they were taught to expect only justice and mercy, were made the slaves of every one—even of the very meanest of their Protestant countrymen. They saw the English government, on whom they had claims for protection against their own parliament, directing its fanatic counsels and confirming its crimes. By the treaty of Limerick they were left at liberty to educate and act as guardians to their own children: by the penal laws they neither can send them to be educated abroad, or have them educated at home, or be guardians to their own, or the children of any other persons.

"By the treaty of Limerick the free exercise of their religion was guaranteed to them. By the penal laws their chapels are shut up, their priests are banished,* and hanged if they return home.

"By the treaty of Limerick their noblemen and gentlemen were specially allowed the privilege of wearing arms; and the whole body were equally entitled to the same privilege, because, when it was executed, no law existed to the contrary. By the penal laws no Catholic is permitted to have the use of arms, except a very few of those who were specially comprised in the treaty.

"By the treaty of Limerick Catholics might intermarry with Protestants. By the penal laws this privilege is removed.

"By the treaty of Limerick the profession of the law was open to them: by these laws it is taken from then.

"By the treaty of Limerick the Catholics could purchase, sell, bequeath and inherit landed property. By the penal laws they can neither purchase, sell, bequeath or inherit landed property, take annuities for lives secured in lands, or any longer lease of land than for 31 years; nor could they lend money on mortgage or vest it in public securities.

"By the treaty of Limerick the Catholics were left in full enjoyment of every political franchise, except those of holding offices under government, and of becoming members of corporations. By the penal laws they cannot vote at vestries, serve on grand juries, act as constables, or as sheriffs or under-sheriffs, be magistrates, vote at elections, or sit in parliament.

"By the treaty of Limerick they were protected from being called upon to take any other oaths beside the oath of allegiance, 1 Will. & Mary. By the penal laws they are required to take the oaths of abjuration and supremacy, and to subscribe declarations against the principal tenets of their faith.

"By the treaty of Limerick they were acknowledged as the free subjects of a British king. By the penal laws they are placed in the double capacity of slaves and enemies of their Protestant countrymen. Had they become mere slaves, they might have experienced some degree of humane treatment; but, as the policy which made them slaves held them out at the same time as the natural and interested enemies of their masters, they

* The Irish parliament passed a bill, by which it was provided that every Roman Catholic priest caught in Ireland should be castrated!

offence by pecuniary penalties, and for the third he forfeits all his goods and chattels, and all his estate of freehold and inheritance during his life.

" Popish schools are prohibited in Ireland, and a Papist bred abroad incurs the strongest disabilities.

" If the son of a Papist professes himself a Protestant,—which he may do at fourteen years of age,—the father's property is instantly altered; his estate in fee simple is converted into a tenure for life; and a third of his whole fortune, real and personal, is taken from him for the immediate use of the Conformist. The heir at law of a Papist, if he either is or becomes a Protestant, defeats every grant or settlement made to his prejudice, and enters into possession as a matter of course: if the heir at law continues a Papist, the estate gavels among the sons; if there are no sons, among the daughters, and in failure of daughters, among the collaterals. A Papist is not only incapable of purchasing lands of inheritance, but he is incapable of taking a lease for more than thirty-one years, and even under this short tenure, two-thirds of the value must be reserved to the lessor.

" A Popish mechanic can't take more than two apprentices, and there are certain towns in which the law forbids him to inhabit.

" No Papist, nor trustee for a Papist, can take or receive an annuity for life or term of years, determinable upon lives, or for any estate chargeable on, or that may affect lands.

" Any Papist of sixteen years old may be summoned by two justices of the peace, and examined upon oath when and where he heard mass, who celebrated the same, and who were present at the celebration; and on refusal to inform, may be sent to the common gaol for twelve months, or pay a penalty of £20 to the poor of the parish.

" Any Papist of sixteen years old may be summoned to take the oath of abjuration, and on the third refusal incurs the penalties of a premunire.

were doomed to experience all the oppression of tyranny, without any of the chances, that other slaves enjoy, of their tyrants being merciful, from feeling their tyranny secure."

"There is a multitude of other clauses in these Popery laws not less harsh and oppressive; but there is one, and of a very recent date, which will be scarcely credited. It is actually a fact, that, in Ireland, a marriage between a Protestant and a Papist is null and void, to all intents and purposes, without any process, judgment, or sentence of law whatsoever; nay, a marriage between two Protestants, if celebrated by a Popish priest, is equally ineffectual.* Such is the wisdom and virtue of the Irish legislature, that a husband may abandon his wife, or the wife her husband, after twenty years cohabitation, and their whole race be legally bastardized. Instances, indeed, of such perjury and dishonour are very rare—for, happily, the honest affections of mankind are too strong for the tyranny of such unreasonable statutes.

"A remission of many and an amendment of all these laws is now become necessary; for, the dangers of Popery being removed, or sufficiently guarded against, the first great principle of government ought to be to make every subject of the state as useful to it as possible: where this great principle does not prevail, there is a defect of sound policy. Now, it is impossible for Papists to become such subjects under their present circumstances, whilst we are perpetually awakening their regret for what they have lost, invalidating their security for what they still preserve, and withholding from them a moderate degree of permanency in what their labour might obtain; it is hardly too much to say, that an Irish Papist can neither inherit, acquire, nor bequeath—for in all these cases he is liable to be defeated or disquieted.

"The laws of Ireland against Papists are the harsh dictates of persecution, not the calm suggestions of reason and policy: they threaten the Papists with penalties in case of foreign education, and yet allow them no education at home; they shut the doors of their own university against them, and forbid them to enter those of any other. No man shall go to lecture

* Singularly enough, although we have got rid of almost all the penal laws, this, which struck the author we quote from as most unreasonable, remains still in full operation.

who will not go to church. A Papist shall not be a divine, a physician, a lawyer, or a soldier; he shall be nothing but a Papist. He can't be a lawyer, for the law is not his friend; he can't be a soldier and draw his sword for his country, for he is forced to draw it against it. We will not admit him into our service, and yet denounce vengeance against him if he engages in another. If he becomes a trader or mechanic, he shall scarcely enjoy the rights of a citizen; if a farmer, he shall not cultivate or improve his possession, being discouraged by the short limitation of his tenure; and yet we complain of the dullness and lazyness of a people, whose spirit is restrained from exertion, and whose industry has no reward to excite it. This is one great cause why the Irish do not make a more rapid progress in tillage and manufactures. There are others, but if we remove these, the rest will be less sensibly felt; humanity and policy equally demand it; the exiled soldier who now seeks bread in foreign service will return a loyal subject, the slothful tradesman will be changed into a diligent artizan, the idle peasant will become a laborious husbandman, and two millions of people will be rendered useful, florishing, and happy."

Excesses of whatever kind always carry with them a certain degree of self-punishing and corrective power. This dispensation, so wise and merciful in the order and succession of created things, is to be recognised both in the moral and in the physical world. It was never seen more fully developed than in the progress of the system now applied to the government of Ireland. At all points the country was completely subdued, the English government ruled supreme, and everywhere the native population lay prostrate and helpless. The consequences were public waste and private impoverishment, general corruption, political turpitude of the foulest kind, and national bankruptcy. The Anglo-Irish party, who had outraged humanity and religion in reducing the natives to a condition of unparalleled thraldom, fell victims to the extremes of their own severity. They had striven to ruin the people, and they had succeeded in the labour; but they had ruined the country also,

and with it their own interests. They invested the English minister with uncontrolled dominion; and he no sooner felt himself securely possessed of the gratifying rights it conferred, than he exercised them solely in favour of his fellow countrymen. The Irish Protestants, who had begun by preventing the employment of Catholics, were denounced in their turn as incapable and unfit, and were only admitted to the lower and less profitable range of offices and duties. All the higher and largely lucrative posts were reserved exclusively for Englishmen. To them, during a series of years, fell every considerable preferment in church and state. As one lord chancellor, archbishop, or chief justice died off, a successor was quickly chosen from Westminster Hall, from Oxford, or Cambridge; and he, as a matter of course, re-echoed the cuckoo-cry to which he owed his appointment,—that cry which had but one burden—If you desire to govern Ireland well, put none but Englishmen into places in that country. Evidence to support the truth of this statement abounds. There is, for instance, little that is worthy of note or comment in the published letters of Primate Boulter, if we except his reiterated appeals to the cabinet in London on behalf of the English interest in Ireland. So strongly was Boulter infected with the vice of this policy, that his system of government seems reducible to the one simple rule of never employing an Irishman. We shall presently have to give a summary of its chief results.

Primate Boulter was the mainspring of the English system from the year 1724 to the year 1742. During this period he served the office of lord justice no less than thirteen times. Born in London, and educated at Merchant Taylors' School, and at Christ Church College, Oxford, he became chaplain successively to Sir C. Hedges, secretary of state; to Archbishop Tenison; and to George I.; who appointed him to teach the Prince of Wales the English language. He was consecrated bishop of Bristol in 1719, and archbishop of Armagh in 1724. As an ecclesiastic, he deserves the praise rarely to be awarded to Protestant bishops in Ireland during the eighteenth century—

of not having wholly neglected the church and the education of the people. He meant well in many things, and was of a generous turn of mind; but ignorance of the country and national prejudices rendered his best efforts to do good abortive. A recent Protestant writer,* who has already been quoted in these pages, speaks of him in the following terms:—"This prelate was entirely a politician, appointed solely with the view of promoting the English interest in Ireland, and extremely jealous of every thing Hibernian. * * * He laboured to bring both the state and the church to the adoption of that plan which had already caused all efforts at introducing a reformation into Ireland so entirely to fail. Under his advice the prejudices of the people were despised; their requirements quite neglected; the will—the caprice even—of the English dominancy solely consulted. He was either a shallow observer of history, or one of those reckless persons that put aside its important lessons as mere ephemeral annals."

The year in which Primate Boulter reached Ireland was one of considerable excitement and importance. The wrongs of the country had found a champion, and the people an idol worthy of their devotion. Dean Swift, one of the heartiest, the purest, the most highly gifted and enlightened of Irish patriots—was already tasting the cordial popularity which the celebrated "Drapier's Letters†" so deservedly produced. A year or two afterwards, and while Boulter was the chief instrument of the English minister in managing the government, Swift published a caustic account of the state of the country. After enumerating and describing the chief causes, fourteen in number, of a kingdom's thriving, he proceeds:—"It is not my intention to complain, but barely to relate facts, and the matter is not of small importance.

"As to the first cause of a nation's riches, being the ferti-

* H. J. Monck Mason, LL.D. "Life of Bishop Bedell."

† The "Drapier's Letters" were written to expose the worthlessness of a copper coinage for which a patent had been corruptly granted to a Birmingham iron-master and manufacturer, of the name of Wood. According to the dean, the patentee attempted to put into circulation £108,000 of coin, intrinsically worth £8,000 or £9,000 sterling.

lity of the soil, as well as temperature of the climate, we have no reason to complain; for, although the quantity of unprofitable land in this kingdom, reckoning bog and rock and barren mountain, be double in proportion to what it is in England, yet the native productions, which both kingdoms deal in, are very near an equality in point of goodness, and might, with the same encouragement, be as well manufactured. I except mines and minerals, in some of which, however, we are only defective in point of skill and industry.

"In the second, which is the industry of the people, our misfortune is not altogether owing to our own fault, but to a million of discouragements.

"The conveniency of ports and havens, which nature has bestowed so liberally on this kingdom, is of no more use to us than a beautiful prospect to a man shut up in a dungeon.

"As to shipping of its own, Ireland is so utterly unprovided, that, of all the excellent timber cut down within these 50 or 60 years, it can hardly be said that the nation has received the benefit of one valuable house to dwell in, or one ship to trade with.

"Ireland is the only kingdom I ever heard or read of, either in ancient or modern story, which was denied the liberty of exporting their native commodities and manufactures wherever they pleased, except to countries at war with their own prince or state; yet this privilege, by the superiority of mere power, is refused us in the most momentous parts of commerce,—besides an act of navigation, to which we never consented, pinned down upon us, and rigorously executed; and a thousand other unexampled circumstances, as grievous as they are invidious to mention. To go on to the rest.

"It is too well known that we are forced to obey some laws we never consented to, which is a condition I must not call by its true uncontroverted name, for fear of lord chief justice Whitshed's ghost, with his *Libertas et natale solum* written for a motto on his coach, as it stood at the door of the court, while he was perjuring himself to betray both. Thus we are

in the condition of patients, who have physic sent them by doctors at a distance, strangers to their constitution and the nature of their disease, and thus we are forced to pay 500 per cent. to decide our properties;* in all which we have likewise the honour to be distinguished from the whole race of mankind.

"As to the improvement of land, those few who attempt that or planting, through covetousness, or want of skill, generally leave things worse than they were; neither succeeding in trees nor hedges; and, by running into the fancy of grazing, after the manner of the Scythians, are every day depopulating the country.

"We are so far from having a king to reside among us, that even the viceroy is generally absent four-fifths of his time in the government.

"No strangers from other countries make this a part of their travels, where they can expect to see nothing but scenes of misery and desolation.

"Those who have the misfortune to be born here have the least title to any considerable employment, to which they are seldom preferred but upon a political consideration.

"One third part of the rents of Ireland is spent in England, which, with the profit of employments, pensions, appeals, journeys of pleasure or health, education at the inns of court and both universities, remittances at pleasure, the pay of all superior officers in the army, and other incidents, will amount to a full half of the income of the whole kingdom, all clear profit to England.

"We are denied the liberty of coining gold, silver, or even copper. In the Isle of Man they coin their own silver; every petty prince, vassal to the emperor, can coin what money he pleases. And in this, as in most of the articles already mentioned, we are an exception to all other states or monarchies that were ever known in the world.

"As to the last, or fourteenth article, we take special care to act diametrically contrary to it in the whole course of our

* The Appeal to the House of Peers.

lives. Both sexes, but especially the women, despise and abhor to wear any of their own manufactures, even those which are better made than in other countries, particularly a sort of silk plaid, through which the workmen are forced to run a kind of gold thread, that it may pass for Indian. Even ale and potatoes are imported from England, as well as corn; and our foreign trade is little more than importation of French wine, for which I am told we pay ready money.

"Now, if all this be true (upon which I could easily enlarge), I should be glad to know by what secret method it is that we grow a rich and flourishing people, without liberty, trade, manufactures, inhabitants, money, or the privilege of coining, without industry, labour, or improvement of land, and with more than half the rent and profits of the whole kingdom annually exported, for which we receive not a single farthing; and to make up all this, nothing worth mentioning, except the linen of the north, a trade casual, corrupted, and at mercy, and some butter from Cork. If we do flourish, it must be against every law of nature and reason, like the thorn at Glastonbury that blossoms in the midst of winter."*

* Swift's poetry upon the wrongs of Ireland was to the full as exciting as his prose. In his Verses on the Sudden Drying up of St. Patrick's Well, near Trinity College, Dublin, in 1726, he personifies St. Patrick, and makes him exclaim:—

"Thee, happy island, Pallas called her own,
When haughty Britain was a land unknown:
From thee with pride the Caledonians trace
The glorious founder of their kingly race.
Thy martial sons, whom now they dare despise,
Did once their land subdue and civilize;
Their dress, their language, and the Scottish name,
Confess the soil from whence the victors came.
Well may they boast that antient blood which runs
Within their veins who are thy younger sons.
A conquest and a colony from thee,
The mother country left her children free;
From thee no mark of slavery they felt:
Not so with thee the base invaders dealt:
Invited here to vengeful Morrough's aid,
Those whom they could not conquer they betrayed.
Britain, by thee we fell, ungrateful isle!
Not by thy valour, but superior guile:
Britain, with shame confess this land of mine
First taught thee human knowledge and divine;

The next ecclesiastical head of the Irish government was Primate Stone, a man of unbounded profligacy, moral as well as political. His grandfather, according to Plowden, was the keeper of Winchester gaol, and saved so much money out of the perquisites of his office as to set up his son, the primate's father, in the business of a banker. Dr. Stone owed his fortune to the friendship entertained for his brother by the duke of Newcastle. Like all favourites, he was rapidly promoted. In 1731, when only twenty-eight years of age, he was made bishop of Ferns; in 1733 he was translated to the see of Kildare; in 1743 to Derry; and in 1747 to the primacy of Armagh. Swift's writings had already created a public opinion in Ireland, and a party of landowners was soon formed, which, taking advantage of the spirit excited by his genius, and assuming the captivating name of patriots, sought to esta-

My prelates and my students sent from hence,
Made your sons converts both to God and sense—
Not like the pastors of thy ravenous breed,
Who come to fleece the flocks, and not to feed.
* * * * *
Oh! had I been apostle to the Swiss,
Or hardy Scot, or any land but this;
Combined in arms they had their foes defied,
And kept their liberty, or bravely died.
Thou still with tyrants in succession cursed,
The last invaders trampling on the first;
Nor fondly hope for some reverse of fate—
Virtue herself would now return too late.
Not half thy course of misery is run;
Thy greatest evils yet are scarce begun.
Soon shall thy sons (the time is just at hand)
Be all made captives in their native land;
When for the use of no Hibernian born,
Shall rise one blade of grass, one ear of corn;
When shells and leather shall for money pass,
Nor thy oppressing lords afford thee brass; *
But all turn leasers to the mongrel breed, †
Who from thee sprung, yet on thy vitals feed;
Who to yon ravenous isle thy treasures bear,
And waste in luxury thy harvest there;
For pride and ignorance a proverb grown,
The jest of wits, and to the court unknown.
I scorn the spurious and degenerate line,
And from this hour my patronage resign."

* Alluding to Wood's halfpence. † The absentees.

blish a tyrannical oligarchy, and sway the destinies of the country by the weight of their property and the violence of their cabals. It was against this party that Dr. Stone had principally to contend, and there was no art, no corruption, and no vice, as we are assured, to which the unprincipled churchman did not resort to thin the ranks of the opposite faction and increase the number of his own followers. He bribed the avaricious, feasted the sensual, and is even said to have kept a harem for the lascivious!

The manuscript account of Ireland in the British Museum, from which the sketch of the penal laws, given a few pages back, was borrowed, contains a few striking passages explanatory of the manœuvres and tergiversations of Primate Stone and his cotemporaries:—"As the modern part of the history of Irish government becomes every day more interesting, it is necessary that the narrative should be more full and particular. In former times the administration was confided by the lord lieutenant during his absence to such persons as, from his conviction of their talents and integrity, he esteemed worthy of so great a trust; he did not think himself obliged to confine his choice to certain great officers of state, merely because they were such, but considered other circumstances than accidental station as necessary for this employment, such as knowledge of business and knowledge of the country, its laws and revenues, integrity and disinterestedness, loyalty, zeal, and activity; but in later times it seems to have been a kind of established rule that the lord lieutenant, regarding rank alone, should, at his departure, leave the government in the hands of the principal persons of the church and the law, together with the speaker of the House of Commons. These gentlemen were usually appointed lords justices, and in this manner the conduct of Irish affairs continued for the greatest part of the late reign without any considerable variation.

"The lord lieutenant came over once in two years, staid a few months, lived in kingly state, provided for his chaplain and secretary,* received freedoms, gold boxes, and complimen-

* The rich nature of this provision may be judged of from a memo-

tary addresses, and then hurried back to England with the utmost precipitation.

"The lords justices, by their connections and influence in the House of Commons, did what was usually termed the king's business in parliament, but which in truth was rather their own, as it enabled them to establish their power, and to domineer without control in the interior government of the country; thus from their rank in their several departments, from the powers of their deputation, and their own diligence, they became important, the administration in England considered them as such, considered them as necessary, and that nothing could be done in Ireland without them.

"The lord lieutenant, who had solicited the government as a dignity to swell his titles, not to increase his trouble, to add to his dependants, not to his business, who from inattention was ignorant, and from indolence unwilling to undergo the

randum given at the end of the manuscript, entitled "List of Irish Secretaries for these 25 Years past."

"Mr. Weston, secretary to Lord Harrington, was appointed alnager of Ireland, a place worth £1,000 per annum, which he resigned after having held it 12 years, and in lieu of it obtained a pension of £500 per annum for 31 years, he being at that time near 70 years old.

"Lord George Sackville, secretary to the duke of Dorset, was appointed clerk of the council *for life*, a place worth £1,100.

"General Conway, secretary to the duke of Devonshire, was appointed clerk of the crown and hanaper for life, a place worth £1,500 per annum.

"Mr. Rigby, secretary to the duke of Bedford, was appointed master of the rolls *for life*, a place worth £2,500 per annum; also comptroller of the customs at Dublin, a place which he sold for £——.

"Mr. Hamilton, secretary to Lord Halifax, was appointed chancellor of the exchequer *for life*, a place worth £1,800 per annum; and to make room for him, a pension of £1,200 per annum *for life* was given to Sir W. Yorke.

"Lord Beauchamp, secretary to Lord Hertford, would accept no office or himself; but his brother, Mr. Henry Conway, was appointed constable of Dublin Castle *for life*, a place worth £425 per annum; and he and his brother, Mr. Robert Conway, have the reversion of the clerkship of the crown in the King's Bench, worth upwards of £2,000 per annum.

"Mr. Theophilus Jones, secretary to Lord Bristol during six weeks, was appointed collector of Dublin, a place worth £1,200 per annum.

"Sir George Macartney, secretary to Lord Townshend during four years, in which space three sessions of parliament were held, has a pension of £1,500 per annum *during pleasure*, which incapacitates him from sitting in parliament, and besides, being ill paid, produces in London less than £1,000 per annum."

laborious duties of his station, committed all public affairs to their entire management; his chief object was to leave matters as he found them, and he esteemed himself happy, if, after six or seven months bustle and parade, he met with no insult on quitting Ireland, nor censure on arriving in England.

"Things remained on this footing till the year 1751, the grand epocha of those party feuds which have disturbed and disgraced the parliamentary proceedings of Ireland ever since; at this period Doctor Stone was at the head of the church, and Mr. Boyle had sat near twenty years in the chair of the House of Commons; the latter was a man of a sound understanding, of affable manner joined to a resolute mind,—the former was ingenious, supple and insinuating, of boundless presumption and insatiable ambition. Mr. Boyle from his station, his prudence and his unshaken attachment to his friends, derived his power, and maintained it with steadiness and dignity. Doctor Stone aspired to this power, and was eager instantly to seize what his colleague had obtained by perseverance and time: the speaker was jealous of the enterprise and address of his young rival; the primate dreaded the arts of the old statesman. The one could not brook the ecclesiastical politician, the other determined to overturn the lay dictator; both employed the usual arms of courtiers, and both busily prepared for the parliamentary campaign.

"The duke of Dorset, now appointed lord lieutenant, had been the primate's first patron, and was naturally inclined to support the work of his own hands: the subtle churchman cultivated this disposition, and improved to the utmost the advantage of his ground. Affairs began now to wear a different face. The chief governor did not, for he could not, depend on the old system, as the leaders were divided. He was obliged to form a new party; but instead of commanding it himself, as he ought to have done, he put the primate at the head of it. Thus, what was intended for the support of government, became injurious to it, and served but as an engine to promote the views and to gratify the ambition of Stone. The dignity and independence of administration was

the avowed motive, but the personal contest between the speaker and the primate was the real source of national division. Under their banners the whole kingdom seemed to range, and to wait with impatience for the day of decision.

"An occasion for essaying their strength was not long wanting. The late surveyor-general was made the instrument of trial, and the ruin of an honest and an innocent individual was to be the test of superiority before any important national question was ventured on. Mr. Boyle was victorious, and the unfortunate Neville was expelled. Not satisfied with this advantage, the speaker resolved to hazard a contest on the more momentous subject of the king's prerogative. This question, as being weighty in itself and serious in its consequences, I shall endeavour briefly to explain.

"After the conclusion of the peace of Aix-la-Chapelle, an increase of the trade of Ireland brought so great augmentation to his majesty's revenue, that in two years a very considerable redundance appeared in the treasury. There can be no question that this redundance was the property of the crown, for it arose from the exceedings of the hereditary revenue, and additional duties which are granted to the king without any appropriation. There being now much more than sufficient to answer all the charges of the establishment and other expences of government, it follows, that the surplus, as it is vested in the king, so it must be at his disposal.

"The public had contracted a large debt in the late war; but for the payment of the interest and discharge of the principal of that debt, certain duties had been granted by parliament, and specially appropriated to that purpose alone. The crown, however, was willing to employ a share of its treasure towards exonerating the nation and lessening its incumbrance. Accordingly, in 1749, there being then a balance of £220,000 and upwards in the vice-treasurer's hands, it was moved in the House of Commons by the king's attorney-general, that this balance should be applied to discharge a certain portion of the public debt. As the occasion was new, gentlemen were at a loss to know in what manner the king's consent ought to

appear; however, they brought in heads of a bill for the payment of the several principal sums of £70,000 and £58,000, in which, after several recitals relative to the debt, there was this recital, 'Whereas there is a considerable balance in the vice-treasurer's hands unapplied, and it will be for your majesty's service and the ease of your faithful subjects of Ireland, that so much thereof as can be conveniently spared, should be paid, agreeably to your majesty's most gracious intentions, in discharge of the said debt.' The bill was passed in this form, which contained an acknowledgment of the king's right to determine how much could be spared, and that his gracious intentions on that subject had been communicated to them previous to the drawing up the heads of the bill.

"In 1751, the duke of Dorset, in his speech from the throne at the opening of the session, declared that his majesty would graciously consent, and recommend to them that such part of the money then remaining in the treasury as should be thought consistent with the public service be applied towards the further reduction of the national debt. This shewed that his majesty considered his previous consent as necessary to that application; the Commons, in their answer, thanked the king for his recommendation, and took no notice of his *consent*. A bill thus framed was sent in the usual manner to Great Britain, which was returned with the insertion of the word 'Consent,'—an insertion plainly in affirmance of what his majesty insisted on in right of his prerogative. The bill thus altered passed both houses without an objection or a single negative, and received the royal assent. If the constant exertion of the royal power over the money in the actual hands of the king's treasurers wanted a formal recognition of right from parliament, that recognition was now given in express terms by a unanimous decision. Here, then, are two undisputed precedents—the one of 1749, and the other of 1751—for the establishment of the king's prerogative in this instance.

"The session of 1753 was opened by the duke of Dorset, who, in his speech from the throne, repeated exactly the same words of his majesty's *consent* and recommendation as in the

former session. It was answered in just the same manner; the House of Commons omitted echoing back the word 'Consent,' but expressed their sense of the king's recommendation. In the heads of the bill prepared by them, they were silent on both points, and neither mentioned the king's consent nor his recommendation. These omissions were supplied in England, and the bill was returned with the proper insertions, according to the form of the preceding session.

"It was on this occasion that Mr. Boyle exerted his whole weight and influence in the House of Commons against the crown, in defiance of all decency, consistency, and gratitude. The bill was rejected by 122 to 117. Though the crown was defeated in this question, yet its opponents might say, like Pyrrhus, that such another victory would undo them. A majority of five is but unsteady footing against government, and must soon be mastered, if properly contended with; and, indeed, one cannot look back without astonishment on the imprudence, I had almost said presumption, of the Irish parliament in this proceeding; for there is no doubt that at this time, such was the opulence of the crown, and the state of its finances so flourishing, that it could have stood on the hereditary revenue alone, without being under any necessity of applying to parliament for additional duties or supplies. But notwithstanding the rejection of the bill above mentioned, the king was resolved that neither his subjects of Ireland should be deprived of the benefit he intended them, nor his own prerogative be defeated; he therefore sent over his letter for the payment of the remainder of the debt out of the balance then in the treasury, and thus solely and in his own right exercised that prerogative, in which he graciously intended to have permitted the Irish parliament to participate.* Before I

* Mr. Grattan, in the life of his father, states the actual sum now remaining in the Treasury as £77,500. Five of the Gores, who voted on the occasion in the minority, claimed the honour of the victory for their own family. The lists of the division were printed in black and red; the majority described as *Vindices libertatis*, and the minority thus—*Hic niger est, hunc tu Romane caveto.* Horace Walpole, who always wrote to the purpose, and whose numerous letters are full of all sorts of entertainment and information, has the following passage respecting these events:—

close the scene, I must take notice of a little piece of craft practised by Mr. Boyle on occasion of the rejected bill. In all other divisions of the house, the numbers appear on the Journals, but the speaker expunged them in this instance, and the entry is simply thus: 'Ordered that the bill be rejected,' —that the world might imagine the rejection of the bill was a matter of course merely from the odiousness of its nature; such was the subject, and such the result, of the question in 1753.

"In consequence of these extraordinary proceedings, Mr. Boyle was dismissed from his employment of chancellor of the exchequer, and all his adherents who had offices were deprived of them. This spirited conduct on the part of the crown, if it had been persevered in, would undoubtedly have rendered the subsequent government of Ireland both easy and honourable. Why the duke of Dorset did not return to Ireland, and why the system then laid down was not effectually pursued, I know not; but I know that the not pursuing it has been the true cause of all the distractions and disturbances in Ireland since that time.

"The marquess of Hartington, afterwards duke of Devonshire, was now sent over lord lieutenant. He negociated with all parties, he flattered the opponents of government with hopes of restitution, and to the friends of government he promised every security; hence the session was tolerably quiet; but how far his administration was just and advantageous to the crown, must be decided by the consequences resulting from it.

"He could not dismiss those from their offices, who had obtained them by their support of government, but he gave

"The flames in Ireland are stifled—I cannot say extinguished—by adjourning the parliament, which is prorogued. A catalogue of *dimensions* was sent over thither, but the lord lieutenant durst not put them in execution. The style towards that island is extremely lofty, and after some faint proposals of giving them some agreeable governor, violent measures have been resumed. The speaker (Henry Boyle) is removed from being chancellor of the exchequer, more of his friends are displaced, and the primate, with the chancellor and Lord Besborough, again nominated lords justices. These measures must oppress the Irish spirit, or, what is more natural, inflame it to despair."—*Letters to Sir H. Mann.*

better employments to those who had lost theirs by opposing it. Mr. Boyle was not only reinstated in the chancellorship of the exchequer, but was created an earl, and rewarded with a pension of £2,000 per annum for thirty-one years; Mr. Carter was made secretary of state, with an additional salary; Sir Richard Cox obtained a large pension; and the inferior partizans were all provided for. *Nemo non donatus abibat.* Thus was purchased this fatal and ignominious peace, which swelled the charge of the establishment to an enormous size. Opposition was lavishly recompensed, and government shewed that it considered the constant attachment of its friends as less meritorious than the suspicious conversion of its enemies."

This extract is interesting as the account of a writer evidently well informed of the circumstances which he narrates. We are able to see plainly in it the secret springs of a political contest, suggestive of extensive improvements, and resulting in important changes; but it is of little value as a correct exposition of the constitutional points at issue at this juncture between the crown and the parliament of Ireland. Those points were two,—the first touched the right of the Commons to originate all money bills, and the second involved the pretensions of the crown to dispose of the public money without the authority of parliament. Upon neither the one nor the other is this writer a safe guide. As we are rapidly approaching the short season of Irish parliamentary independence,—a season which, like an arctic summer, exhibits its brief interval of light and warmth breaking through a long period of darkness and cold,—it will perhaps be most convenient to reserve our review of the facts and arguments bearing upon these disputed questions, and to proceed with the manuscript version of the political diversions of Primate Stone, Mr. Speaker Boyle, now Earl of Shannon, the undertakers, and the patriots who contribute between them, in their schemes, their squabbles, and their jobs, the little that constitutes the history of Ireland for a series of years.

"During this administration the primate lay under a sort of disgrace, and was left out of the government on the lord

lieutenant's departure. His real views had been confined to the increase of his own power, and never pointed to support the authority of the crown farther than as it answered that end. Vanquished by his enemies and rejected by his friends, he for some time suffered all the pangs of baffled ambition; but though disappointed, he did not despair, and resolved, since the times seemed unfavourable to his measures, to adapt his measures to the times; he saw the difficulty of ruling alone, and thought an equal share of government was preferable to a total exclusion; he therefore made overtures of friendship to his old rival, and by his usual address accomplished an entire reconciliation.

"The primate and Lord Shannon knew each other perfectly: they both knew their respective interests, and that a mutual co-operation was the most effectual method to promote them; their united judgments would lay their designs with greater security, their united address would more easily remove difficulties, and their united power would undoubtedly be too strong for a government which had so lately exposed its inexperience and timidity.

"The duke of Bedford was appointed lord lieutenant in 1757, and continued in that high office till 1761. From his character and temper it was imagined that he would maintain the dignity and independence of the king's representative; but I know not how it happened, whether from want of proper support in England, or from want of proper management in Ireland, his Grace was after a short struggle obliged to follow the example of his predecessors, to return to the old system, and put himself into the hands of the parliamentary undertakers. But this was not the only mortification he suffered; a still greater was preparing for him, and in a short time he found himself under the necessity of complying with the demands of a set of gentlemen who modestly called themselves *the Patriots*.

"The patriots were men of moderate fortunes, of a middle rank in life, but of great ambition and considerable abilities. They could not brook the superiority affected by the under-

takers, and were therefore determined either to bring them down to their own level, or to raise themselves to the same degree of consequence. Whenever government quarrelled with the undertakers, the patriots were ready to support it; but as government, after making use of them, had constantly left them in the lurch, and recurred to the undertakers, the patriots became irreconcileable enemies to both; they soon found an occasion of taking an ample revenge, and extorted a concession from the duke of Bedford, which, if not recovered, must at last destroy the great engine of kingly government in Ireland.

" I have before observed that the hereditary revenue was granted to the crown for ever, and that if properly conducted it might alone be rendered sufficient to answer all the necessary charges of the state. This was well understood both by the patriots and the undertakers. The former, therefore, took every opportunity of diminishing this revenue; and the latter had the treachery, if not to assist, to acquiesce in their doing so. Of this a very strong instance was now given, and a bill passed for granting a bounty on all corn and flour brought to Dublin by land carriage. This bill has been altered and amended by subsequent statutes, the effect of all which has been to increase the charge.

" The duke of Bedford offered at first to grant this bounty for a term of years, but nothing would satisfy the patriots but a perpetuity, and thus the act passed without any limitation. They promised, indeed, to create a fund for the payment of this bounty; but though often reminded, never kept their word. The consequence of this law has been that the money paid out of the revenue on account of land carriage of corn and flour now amounts to near £50,000 per annum; and there is no doubt but that it will amount to double that sum in a good wheat season.

" Thus a prodigious charge is for ever entailed upon the revenue, which charge must be answered at all events and in preference to most others; for by the act, this bounty is made payable not out of the revenue in the treasury, but out of

the revenue *in transitu*, in the hands of the collector of Dublin port as he receives it before he accounts with the treasury, so that if any state emergency was to happen, if an enemy was at the gates, the corn bounty must be first paid, though there may perhaps not be money in the treasury sufficient to set a battalion in motion. And here I must observe, that besides this bounty on corn and flour, there have been several others given at different times by act of parliament in the same exceptionable manner, a particular account of which shall be given in the chapter of revenue.

"It may not be improper in this place to take notice of an innovation introduced in favour of Mr. Ponsonby, who was now speaker of the House of Commons, and was beginning to aspire to popularity and power. In the money bill of 1759, £500 was for the first time granted to the speaker to enable him to maintain the state and dignity of his office, as is expressed in the bill. To shew how dangerous it is to yield to any thing, however trifling, out of the ordinary channel, it must be remarked that afterwards, in 1761, the allowance of £500 was augmented to £2,000, and in the session of 1765 this £2,000 was doubled; so that at present the speaker has £4,000 constantly given him in the money bill as a matter of course, besides the old allowance from the crown of £500 each session and the emoluments of the office, which £500 and those emoluments were all that his predecessors had, and were esteemed fully sufficient.

"Soon after the accession of his present majesty, a money bill certified in the usual manner was transmitted to England as a cause and consideration, among others, for the calling a new parliament. There had been a strong debate in the privy council on the propriety of this measure. It was urged by some, that since the Revolution, no parliament had ever been called in Ireland without the previous certification and transmission of a money bill to England,—that it was looked upon by the British administration as a necessary form, and that it could not be departed from; on the other hand, the primate, Lord Shannon, and Mr. Ponsonby, now lords jus-

tices, at first refused to certify a money bill, alleging that other bills of a different nature were sufficient causes for assembling a parliament. As the House of Commons had always looked with jealousy on this origination of a money bill in the privy council, the lords justices imagined that their refusal to certify one on this occasion, would increase their own consequence and popularity. They thought, if they succeeded, it would prove that by their influence, and advice, the English ministry had been prevailed on to recede from this important point, and at the same time it would show their own tenderness for the privileges of the people, by not interfering with them in the right of granting money.

" Mr. Malone, the chancellor of the exchequer, adopted their ideas, but the earl of Kildare loudly declared for a money bill; several letters passed on the subject between England and Ireland, the consequence of which was that the lords justices thought it prudent to submit and certify a money bill in the usual manner, which on its return passed both houses by a prodigious majority. Lord Kildare was rewarded with a marquisate for his support, and Mr. Malone was dismissed for his opposition.

" The earl of Halifax was now appointed lord lieutenant, whose government, being strongly supported in England, was easy to himself and honourable to his sovereign. The undertakers having experienced the firmness of the crown in the instance of the money bill, and well knowing that firmness in the crown must baffle them in every other, were afraid to take any steps which might occasion complaint. They therefore lived on good terms with Lord Halifax, assisted him in carrying on the public business, and were left in the government at his departure.

" He was succeeded by the duke of Northumberland, during whose splendid and princely administration affairs were conducted with dignity and regularity, and without any considerable opposition; Lord Shannon was grown old and fond of repose, the primate was desirous of entering into the strictest union with the duke of Northumberland, and Mr.

Ponsonby still remained in some degree under the influence of the primate; I must, however, remark that a bounty for encouraging the fishery was now granted, and made payable, like the corn premiums, out of the revenue *in transitu*. It was not, indeed, like the corn premiums, made perpetual; it was limited to six years, but was extended to fourteen in the ensuing session; the amount of it at present is upwards of £11,000 per annum, and is likely to increase.

"In the latter end of the year 1764, the primate and Lord Shannon, who had from the time of their reconciliation wisely drawn together in the government, died within a few days of one another; the fortune and following of Lord Shannon descended to his son, who had married Mr. Ponsonby's eldest daughter. This young nobleman and his father-in-law aimed at the power and importance of their predecessors, and flattered themselves that their united weight would not only overpower every other party in the kingdom, but be too strong for government itself. In the administration of Lord Hertford, they on more than one occasion betrayed their intentions, but the lord lieutenant's firmness and address kept things from coming to a rupture during his residence. The most material occurrence of the session was an attempt of Mr. Pery, in the House of Commons, which I can't avoid taking particular notice of, as it occasioned much discourse, and was in itself of an extraordinary nature.

"In the reign of King James the First, in my Lord Chichester's government, the speaker of the House of Commons, on the last day of the session, November 29th, 1614, delivered a note or remembrance to the lord deputy, containing, among others, the following paragraph:—

"'The House of Commons, acknowledging that the sole power and authority to transmit such bills as are to be propounded in parliament, doth rest in the lord deputy and council, do only desire to be as remembrancers unto his lordship and the rest, touching the acts following, which they humbly offer as meet to be transmitted, with such other acts as his lordship, &c. shall think fit to be propounded in the next session.'

"This paragraph, which contains a very short and plain acknowledgment of the law and practice, as settled by Poyning's Act, Mr. Pery moved to have expunged out of the Journals. The motion was made so suddenly and so artfully, that the speaker, Mr. Ponsonby, had not presence of mind sufficient to defeat or restrain it, so Mr. Pery's resolution passed for the expunging, and appeared the next day in the printed votes; but soon after, the speaker, having been in consultation at the castle, and being informed of the dangerous tendency of Mr. Pery's motion, with great difficulty got the whole proceeding annulled, and the entry on the votes to be declared an error of the clerk.

"The ordnance of Ireland was now vacant, by the resignation of the marquis of Kildare, and the world expected that it would be given to Lord Drogheda, a nobleman of good character, who had served upwards of twenty years in the army, and had lately married the lord lieutenant's daughter; however, on this occasion, his excellency preferred the interests of the crown to those of his own family, and hoping to attach Lord Shannon to the service of his administration, recommended him to his majesty for this great employment, and obtained it for him. Lord Hertford, at his departure, left the chancellor and speaker in the government together with the earl of Drogheda, who was thus compensated for the loss of the ordnance.

"On the great change of the English ministry in 1766, the earl of Bristol was appointed chief governor; a new system of government was said to be now adopted. Ireland was no more to be left to the discretion of the undertakers; the lord lieutenant was for the future constantly to reside and hold the reins of government in his own hands.

"The people, ever fond of novelty, were rejoiced beyond measure at the happy tidings. Individuals were no less delighted. Those who had been long in leading-strings, but had never been led to what they looked for, felt new hopes rise in their bosoms, and flattered themselves that the day of enfranchisement was come; golden visions of profit and of honour opened on the eyes of every patriot. He who had disdained

the thraldom of an undertaker, was ready to wear the livery of a resident viceroy, and the most inveterate Republican became a convert to the new theory of government; all was rapture and reformation; the return of Astræa was hourly expected, and the kingdom of Saturn was supposed to be at hand.

"The undertakers, against whose usurpation this scheme of residence was levelled, immediately took the alarm, and most diligently used all their endeavours to defeat it; they knew indeed that opposition, if steadily resisted, must soon moulder into insignificance, but they flattered themselves that no lord lieutenant would long persevere in the new plan. If he should, they were resolved to omit nothing on their part to make his situation as uneasy and as unpleasant to him as possible.

"The season now approached for the usual assembling of the Irish parliament, and the earl of Bristol having resigned the government, Lord Townshend was appointed to succeed him; the principal events of this administration I shall endeavour to comprehend in as small a compass as I can.

"The bill for granting a bounty on corn and flour brought to Dublin by land carriage, as mentioned in the duke of Bedford's administration, was a concession so important and so unexpected, that the patriots were from thence encouraged to make still greater demands. They imagined that government, having once yielded in a point so prejudicial to its own interests, would as easily be persuaded to pass any other laws which they might choose to propose: their principal aim was to load the hereditary revenue either by perpetual charges, or by charges for long terms of years; by this means their own consequence would be enhanced, and the authority and revenue of the crown greatly weakened and impaired.

"To accomplish these views they laid their designs with uncommon art and address, and the measures most destructive to government they often contrived to make appear as the measures of government itself,—not as measures adopted in compliance with popular importunity, but as measures flowing

spontaneously either from the king's goodness or the viceroy's representation and influence. Immediately on the appointment of a new lord lieutenant, they employed some emissary, who, under the mask of friendship and good wishes, insinuated that the best method to secure an easy and honourable government in Ireland would be to open the session with some popular act or declaration; the real meaning of which was either some innovation in the established constitution or some encroachment on the revenue.

"For this purpose various schemes were offered, and the utility and necessity of pursuing them were painted in the most seducing colours: one day a bounty on fish, fishing busses, and whale catching, was desired; the establishment of county hospitals and public coal-yards was another day mentioned; a septennial bill, a judges bill, a habeas corpus bill, premiums for corn preserved upon stands and for corn brought to Dublin coastways, were all asked in their turns; nay, what will scarcely be believed, a proposal was seriously made that the land-carriage bounty should be paid for all corn and flour brought to Dublin by the new canal; and such was the success of these representations, that many of the demands abovementioned were in a great measure complied with: the immense charge incurred by them may be seen in the public accounts, where they stand as incontrovertible evidence of their own exorbitance and impropriety. A lord lieutenant new in his government, perhaps new in business of any kind, unacquainted with the people and constitution of Ireland, and desirous of carrying on his administration with popularity and good humour, probably at first did not apprehend any danger or inconvenience from adopting these schemes; he perhaps seemed to approve them,—and his seeming approbation was immediately sworn into a positive promise, the performance of which he was afterwards either soothed or frightened into, according to the features of his character, and the circumstances of the times.

"In Lord Hertford's government, heads of bills were brought into the House of Commons to make the judges' commissions

to continue *quamdiu se bene gesserint*. The administration in England, apprehending that such a law would tend to create a kind of *imperium in imperio*, refused at that time to consent to it in any shape; they were, however, afterwards of opinion that it might be granted under certain restrictions; accordingly Lord Townshend, at the opening of the next session, recommended it in his speech from the throne. The bill was transmitted to England, and returned to Ireland with several alterations; but as these alterations seemed to defeat the insidious intentions of the gentlemen who had framed the bill, it was rejected without a division.

"The same spirit of innovation which had clamoured for the judges bill still prevailed, and was equally loud and eager for a law to limit the duration of parliaments. How far it was politic to consent to it, is not now material; the bill was passed, and during four and twenty hours the lord lieutenant was the most popular man in the kingdom.

"The undertakers, who never imagined that the crown would have consented to lessen its prerogative in this point without some equivalent, and who had formed their schemes and connections according to the then subsisting parliament, were highly enraged to find themselves so mistaken. As the bill was popular, they had never ventured to oppose it whilst in agitation; and now that it was passed, they pretended to approve of it; but they never forgave the measure, and from that moment acted in open hostility to government.

"This was not however the only cause of their ill humour. Not contented with the power and employments which they enjoyed, they had early in the session made some very unreasonable demands upon government. One gentleman was only to be satisfied with half a dozen peerages for his friends; another preferred some great reversion for himself. Those who had not pensions, wished to have them; those who had pensions, desired an addition; and almost all who were already in good employment agreed in asking for better ones. Lord Townshend's hesitation to comply with these extraordinary

requisitions was highly resented. Thus these gentlemen, instead of being grateful for past favours, were enraged at the refusal of new ones, turned the power of the crown entrusted to their hands against the crown itself, and endeavoured to extort by faction and opposition what was meant to be the reward of loyalty and service."

This extract is in some parts even more obnoxious to criticism than was the one last taken from the same pages. It reveals the character of a decided partisan, the official courtier, and expresses not a few extreme opinions. As a whole, however, it presents an instructive insight into the condition of the country, and the impurities practised both by the government and its opponents. Instead of seeing the English minister corrupting the Irish parliament through the instrumentality of the undertakers, we now detect the bribe passing directly from the hand of the lord lieutenant into the purse of the public man. But, as has been already remarked, the writer seems to misapprehend the real point at issue between the contending authorities; the right, namely, of the crown to appropriate at its own will and pleasure the stated accumulations in the treasury. Unquestionably, the exaggerated extent of royal prerogative to which a claim is here laid would be incompatible with all constitutional government. It is moreover to be regretted that no notice is taken of the popularity enjoyed by the patriots. There were reasons for the respect paid to those men which deserved consideration. Had their leaders been pure, they would have merited an immortal fame. Inconsistent and even mercenary as they were, and undoubted as are our proofs of the selfish objects of the landed oligarchy to which they belonged,—an oligarchy that equally abused on every occasion the crown and their country,—it would still have been but fair to recognise the arguments of those amongst them who contended that there were advantages to be gained by supporting even such an aristocracy against the English minister, who preferred the pernicious influence even of that order to the absolute tyranny of a distant sovereign; and who feared, that if the nobility was destroyed,

it would be for ever impossible to make head against the crown of England.*

It was in this state of things that a small advantage was gained for the cause of improved government. The first Irishman, "who, after Swift, *dared to write freedom*," was Dr. Lucas. Mr. Grattan, who makes the remark, tells us in his life of his father, "that Lucas established the *Freeman's Journal*, —a paper that upheld liberal principles, that raised a public spirit where there had been none, and kept up a public feeling when it was sinking, and to which, in a great degree, Ireland was indebted for her liberties. Lucas's name stands connected with those two great measures—the freedom of the press, and the shortening the duration of parliament. His history presents the singular spectacle of a man of humble origin,—an apothecary by profession, and that profession his only means of subsistence,—moreover without education, with little acquired knowledge, and little force of talents,—issuing from his shop, and at once attacking abuses wherever he finds them. He does this, too, with great boldness and admirable spirit. He not only attacked abuses, but individuals, and declared a general war against the wrongs of his country, her governors, her laws, and her representatives. He bade defiance to the power and tyranny of the parliament of Ireland, and was fearless of the vengeance of Great Britain. He was another Swift, but without the vast talents of that writer. In Lucas it seemed a sort of inspiration, for nothing was too high or too low for his resentment or his ambition. He assailed everything and everybody, from the monarch who swayed the sceptre, down to the mayor who held the city mace. He flung them all into his political crucible, and poured upon them indiscriminately the vials of his unsparing vituperation. He deemed their offences great, and his language was strong in

* These were the opinions of Mr. Flood and others, who used to maintain that the only way in which an Irishman could really serve his country, was by taking office. These, however, were not the opinions of Mr. Grattan, who, with Lord Charlemont, was almost the only pure public character of his time. Office, in his estimation, was a "masked pension;" the man who took it sold himself to government, and it was impossible that in Ireland it should confer the power of doing good.

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proceeded to call their ancient court of Darrien Hundred; but they were dispersed by the lord mayor, who threatened to call out the military.

" Yet all these efforts, numerous as they were, failed either to subdue or silence the object of their unjust vengeance.

" Lucas took refuge in England; and, compelled to fly from the country whose rights and liberties he had asserted, he appealed to the people of both islands against such unexampled oppression, and dated his address from Westminster, 'the present place of my pilgrimage, 1750.'

" The active mind of Lucas did not suffer him to remain quiet. He now applied himself to his profession, and practised as physician; and being well skilled in that profession, he quickly obtained reputation. His treatise on the Bath waters was much esteemed: he also obtained much business by his popularity: he was the medical adviser as well as the personal friend of the earl of Charlemont.

" Lucas remained an exile from 1749 to 1760, when he returned to his native country, in consequence of a '*noli prosequi*' from the crown; and a dissolution of parliament having taken place on the death of George II., he was chosen one of the members to represent the city of Dublin in 1761. This latter event was Lucas's final triumph over his enemies; but it was also his 'journey's end,'—'the seamark of his utmost sail.'

" He brought forward the Septennial Bill in the first session of the reign of George III. It was approved of by the lord lieutenant and council, and was transmitted to England, but never returned. The popular party, thus defeated, but not discouraged, brought forward the measure a second time in the ensuing session, with the same zeal and the same result. In the third session the measure was again introduced, and the chief governor, Lord Hertford, gave every assurance of his support; his son was secretary in Ireland, and voted for the bill, but it was nevertheless a third time rejected, and the people were disappointed. A fourth time it was attempted in the winter of the session of 1767-8, in Lord Townshend's administration, and was returned from England, along with the

bills of supply, altered from septennial to octennial, and was at length (Feb. 9, 1768) passed into a law."

During this year the government recruited its wasted strength by creating a variety of new places. The Boards of Custom and Excise, hitherto united, were now divided, and the number of commissioners increased from seven to twelve. A sum of £500,000 is said to have been expended in bribery at this period. The manner in which additional servants were procured to do "the king's business," was as indecent as the use was vile to which they were put when obtained. The laws of England, enforcing the spirit of the constitution, then as now excluded commissioners of revenue from parliament; but Lord Townshend gave them seats in the Irish Commons. On two occasions the house resolved, by decided majorities, that the increase in the number of commissioners was unnecessary; but the lord lieutenant set the votes at defiance: he appointed the additional men, and propped up his own majority by wantonly increasing the public burthens. By practices such as these,—by a lavish profusion, by feasting, pleasures, and by indulging in unbounded expense,—Lord Townshend was enabled to make head against the undertakers; but his unprincipled proceedings, far from imparting strength to the government, only added to its embarrassments and increased its weakness. Upon his retirement, the offices under his control were found to owe £250,000; and although the salary of the lord lieutenant had been augmented during his time to £16,000 a year, he had so encumbered his private property with debts, as to be obliged to sell some of his estates, after his return to England, in order to satisfy the demands of his personal creditors.

Lord Harcourt, whose lieutenancy commenced in 1772, added largely to the extravagance, corruption, and discontent of the period. In order to fill the treasury bench before the meeting of parliament, he made five earls, seven viscounts, and eighteen barons, in one day. Small as was the public income, there were three vice-treasurers, each with an augmented salary of £3,500 a year. Amongst them was Flood,

one of the most eloquent of the patriots, and on many occasions distinguished for the breadth and vigour of his liberality. Unquestionably the situation of Ireland at this moment was of that gloomy and disturbing character, which was well calculated to rouse the strongest feelings of irritation, and to inspire at the same time the boldest hopes of patriotism. Lord Harcourt was succeeded by the earl of Buckinghamshire in 1777, when America was fighting against English injustice. It now became evident that the trodden Irish had begun to own to themselves that the elements of nationality still lingered upon their soil. The distress of the government made them sensible of their strength. The ministerial rescripts are our authority for representing that the trade of the country had, by this time, every where declined,—that her fisheries were not followed—that the manufacture of linen, the only one left, could not find a market;—that the chief sources of revenue from which the civil and military offices of the country were supported, had not only decayed, but were in danger of being utterly lost;—that the people were starving in thousands,—and that their discontent was so general and so strong, that the lord lieutenant was obliged to reckon up the number of troops he could send into the field in the event of an insurrection. So extreme was the want of money at the treasury, that the government was obliged to borrow the small sum of £20,000 from Messrs. Latouche's bank, in order to pay its current expenses. This loan having been soon exhausted, another was solicited and refused,—the bankers assuring the lord lieutenant that "it was not in their power, though very much in their inclination," to lend a second sum of £20,000. In consequence of this humiliating refusal, the government became positively bankrupt; the lord lieutenant was obliged to suspend payment of the civil and military salaries and pensions, all parliamentary grants, clothing—arrears, and other disbursements.

It was while Lord Harcourt was chief governor, while the treasury was thus beggared, and the administration disgraced, that England committed a further act of ignorant injustice

against Ireland, by laying an embargo on the export of Irish provisions. Denied the right of exporting their cattle, the Irish had acquired a valuable trade in salted meat, particularly beef and pork. That commerce was now interdicted by England; and it was also during the term of this lieutenancy that, for the first time, a seat was taken in the Irish House of Commons by Henry Grattan, the greatest of Irishmen,—a statesman whose genius, eloquence, and public virtue, would have done honour to any age or country; but who stands pre-eminently admirable as an example of unstained integrity and unbending fortitude, during a period of unparalleled degeneracy, when every patriot was a placeman,—when the senator who served his country looked for a gratuity, or the payment of a salary, as a matter of course,—when vacillation and apostacy were the every day failings of public characters, and consistency was a virtue which but rarely found a second follower.

Henry Grattan was born in Dublin during the year 1746. His father filled the office of recorder, and represented the city in parliament for many years. Henry was educated at the university of Dublin; and being intended for the profession of the law, entered himself as a student of the Middle Temple in London, during the year 1767. Before this event took place he had lost his father, who left him a small estate, which was sufficient to render him independent, but not to make him rich. He was called to the Irish bar in the year 1772, but never obtained much practice. His son tells us, that having lost the first cause entrusted to his advocacy, he sought to console his client by returning half his fee. In the year 1775, he took his seat for the first time in the Irish House of Commons, as member for the borough of Charlemont; and in seven years after he effected the independence of the Irish legislature. When the greatness of this achievement, the short period within which it was accomplished, and the monstrous power and unbridled corruption by which it was resisted, are all considered, no praise that can be bestowed will be found too high for the merits of the private gentleman who, with a

very moderate fortune, and few aids but those derived from the force of his own genius and eloquence, freed his country from as abject a condition of slavery, legal and commercial, as is to be found in the history of the world.

Henry Grattan's patriotism will be thoroughly appreciated by those only who are correctly informed of the nature of the restrictions imposed upon the Irish legislature, and the extent of the corruption by which the ministers of England were enabled to keep the country under foot, at the time he entered the House of Commons. From the year 1585 to the year 1692, the meetings of the parliament of Ireland, the repudiated session under James II. excepted, had been frequently intermitted. For instance, from the year 1585 to the year 1612, a period of twenty-seven years, there was no parliament; from 1615 to 1634, nineteen years, there was no parliament; from 1648 to 1661, thirteen years, there was no parliament; and from 1666 to 1692, twenty-six years, there was no parliament. The king's revenues throughout this long period sufficed to cover the ordinary expences of government, and as no money was wanted, no parliament was called. The particular ground upon which the king's revenue had been placed beyond the reach and control of the legislature deserves to be remembered. The Irish quit rents had been voted in return for the forfeited lands; the hearth-money tax had been granted by way of compensation for the abolition of the Court of Wards; and the customs and excise, as an acknowledgment for the Act of Explanation and Settlement. In the year 1692 under Lord Sydney, in 1753 under the duke of Dorset, in 1760 under Lord Halifax, and in 1769 under Lord Townshend, the Commons made unavailing attempts to throw off this yoke. They claimed the constitutional right of originating all money bills, while the crown insisted upon its legal right, derived from existing acts of parliament, to apply, of its own accord, for money whenever the public service demanded a supply, and to appropriate, on its own authority, any sums remaining in the treasury. The Irish process of legislation for a series of years is thus explained in the manuscript account of Ireland already quoted.

"As the course of passing an Irish law is and must be different from the course of passing an English one, I shall here state the manner of it. Heads or sketches of a bill or bills, when agreed to by either house of parliament, are sent up to the lord lieutenant, with a desire that his Excellency will transmit them to Great Britain in due form. This form is given to them by the lord lieutenant and council by whom they are taken into consideration, and if not rejected, are altered and amended in such manner as appears to be necessary. They are then engrossed and become a bill, which is certified by the lord lieutenant and council as proper to be passed into a law, and so certified is transmitted to England under the great seal of Ireland. It is there referred by the king and council to the attorney-general and solicitor-general, and revised and reported upon by them; it is then examined by the king and council, who either reject or alter and amend it, and so altered and amended return it to Ireland under the great seal of England. It is then carried to that house of parliament from which it was sent up, and is either rejected or agreed to *in toto*. If the latter, it is ordered to the other house for its concurrence—and that being given, it receives the royal assent from the lord lieutenant upon the throne, and becomes a law."

The public revenue, under such a form of legislation and government, was necessarily uncertain, small, and ill-managed. At the same time it is curious to observe, that notwithstanding all these oppressive laws and its contracted commerce, the crippled industry of the country more than sufficed to provide for the expences of the administration, whenever prudence or order prevailed in the conduct of affairs. The clearest testimony has been borne to this singular fact by the manuscript author from whose well written pages so much has been already taken. It appears that in the year 1707, there was so large a deficiency of the revenue as to prevent the payment of the army and the ordinary charges of the government, but in 1710 there was a surplus of income over expenditure of £11,544. In the year 1715 the national debt

of Ireland was only £16,106; but in the following year the borrowing system was introduced, and thenceforward the amount of the public obligations rose with rapidity. It was £66,106 in 1716; £94,594 in 1717;* £119,215 in 1725; £220,730 in 1729; and £371,312 in 1733. But in 1753 we find the resources of the country so productive, that the whole of this debt was discharged by the accumulations in the treasury within the space of two years. This was done contrary to the voice of the Irish parliament.† In the year 1752, £120,000 was paid off, and the balance in 1753. This fortunate event has been generally regarded as a consequence of the extension of the linen trade, which was now and for some preceding years had been in a flourishing condition. But this creditable state of things was not long preserved. On the 1st of March, 1754, there was no national debt in Ireland; during a term of five years no money was borrowed; but in 1759 a loan was opened at the in-

* On Lady-day, 1719, according to the Report of the Committee of Account, the net produce of the hereditary revenue, additional duties, &c., for one year and nine months, was . £805,015 4 3¾
And the charges upon the establishment and other expences of government for the same period amounted to 793,658 4 2¼
Surplus of income 11,357 0 1½
In 1729, according to the same Report, the net revenue for two years was . . . 889,351 4 11¼
Charges, &c. 982,710 4 9¾
Deficiency £93,358 19 10½

† In making use of this expression, it is proper to add, that although in point of form the Commons appeared to vote against the liquidation, their resistance was principally directed to the particular authority by which that liquidation was directed and carried into effect. They denied the right of the crown to pay away money in the treasury of its own accord, and, constitutionally speaking, they were unquestionably correct in taking that view of the case. Had they continued to act upon it with consistency and vigour, they would have commanded the gratitude of their country, and, in all likelihood, a certain victory. But it is impossible to feel respect for the Irish Commons of this age, who, to a man, combined to defeat the exercise of a questionable authority of the crown, by squandering upon themselves the public money, which, if permitted to accumulate, would have furnished grounds for another quarrel.

stance of the duke of Bedford, and in 1761 the funded debt was £350,000. In the year 1763 it amounted to £521,161 16*s.* 6½*d.*; in 1771 it had increased to £782,320; and by Lady-day, 1773, to £994,890 10*s.* 10½*d.* These large additions were occasioned by the growing insufficiency of the revenue to bear the various charges put upon it by the House of Commons for illegitimate purposes, such as corn bounties, public companies, &c. &c. The profligate increase of the pension list is to be set down as another cause of these pecuniary embarrassments. The amount of the annual payments upon that list in the year 1756 was £44,393; which in 1767 was raised to £83,541; and is found a few years later as high as £158,685.

Mr. Grattan, in the Life of his Father, draws from the most authentic sources—the very letters of the lord lieutenant himself—overwhelming demonstrations of the system of corruption out of which these enormous additions to the national burthens arose. That system had been in full play for many years, and had reached its height at the time Grattan was inspired with the resolution to grapple with its enormous abuses. As evidences of the grossest misgovernment, and proofs of the desperate powers with which the genius of the reformer had to contend, the following communications are more than commonly striking:—

THE LORD LIEUTENANT TO LORD NORTH.

Dublin Castle, Sept. 8, 1780.

My Lord,—Nothing could be more against my inclinations than the yielding to solicitations of gentlemen upon the line of peerage; but without engagements strongly to recommend several to that mark of his majesty's favour at the close of the session, it would have been impossible for me in any sort to have surmounted the various difficulties which have lately attended government.

I must therefore request, that your lordship will submit the following names to his majesty:—

Sir Robert Deane has uniformly, with four friends, supported his majesty's measures, and has never suggested a difficulty upon any occasion: his property is very considerable.

Lord Chief Baron Dennis is recommended by Lord Shannon; but ex-

clusive of that consideration, his abilities may be of great use in the House of Lords, especially as Lord Annaly has an asthmatic complaint, which renders his attendance precarious. He has no family, nor is there any probability of his having any; and, upon the whole, I should think his appointment full as desirable to government as it may be agreeable to himself.

My private wish would certainly influence in favour of Mr. Armar Lowry Corry; but his extensive property—his having supported government, though elected for the county of Tyrone by popular interest—his having also induced another gentleman to follow his example—may give him some claim to his majesty's favour.

Mr. Mathew is of a very ancient respectable family, and has upon every occasion supported his majesty's government. His brother-in-law, through his means, was induced to act the same part.

Mr. Pomeroy was originally recommended by the duke of Leinster; but at a time his grace was undecided, he engaged at all events, with his brother and his son, to support government. The duke of Leinster lately renewed the application in his favour.

Mr. Clements, the son of an old meritorious servant of the crown, has a very considerable fortune; and has, with three friends, supported government, exclusive of his brother, the deputy vice-treasurer.

Mr. Knox, of Dungannon, is a gentleman of respectable family, with a large property; and has, with two sons, supported government. He was strongly recommended also by Colonel Burton.

There are some few promotions of peerage which I would make the subject of another letter, but must remind your lordship of Lord Farnham's earnest request that his majesty would consent to his being honoured with his late brother's earldom.

I hope that these several recommendations will meet with his majesty's approbation, and receive your lordship's support, &c. &c.

BUCKINGHAM.

September 22, 1780.

MY LORD,—Amongst the gentlemen whom, in my letter of the 8th instant, I submitted to his majesty for the dignity of peerage, I should have included William Tonson, Esq., but that some matters which had been misconceived, required first to be explained: that has since been done entirely to my satisfaction; and I request your lordship will lay before his majesty my humble recommendation, that Mr. Tonson may obtain this mark of his royal favour.

Mr. Tonson is a gentleman of very considerable estate in this country, is zealously attached to his majesty's person and government, and has uniformly and steadily supported administration. He will bring a friend of government into the House of Commons, upon his being called up to

the House of Peers. He engages to bring into parliament, at the next general election, any person nominated by government; and he has signified to me his determination in future to give administration the nomination of members for his borough of Rathcormack, until his sons shall be of age.

BUCKINGHAM.

October 18, 1780.

* * * —I am further to desire your lordship will lay before his majesty my humble request that his majesty will be pleased to approve that Edward Tighe, Esq., be appointed one of the commissioners of the revenue here in the room of Lord Naas. Mr. Tighe is a gentleman of family and extensive connections, member of parliament for the borough of Athboy, and loyally attached to his majesty's person and government. Of his abilities I will myself be an assurance, having had intimate knowledge of them in the services which he has rendered me as my private secretary, during the greater part of my residence in this kingdom.

Mr. Tighe is at present one of the commissioners of imprest accounts, and comptroller of the pipe in his majesty's Court of Exchequer in this kingdom, which offices will enable me to gratify other gentlemen, whose parliamentary services demand the attention of government.

BUCKINGHAM.

P.S.—I beg leave to mention, that I shall in some sort take the liberty of recommending other promotions in the peerage; and that I do not intend that this letter should establish Lord Naas' station in the rank of Viscount.

October 24, 1780.

MY LORD,—The following noblemen having distinguished themselves as the zealous friends of his majesty's government, I think it my duty to prefer their applications, that his majesty will be graciously pleased to confer on them the advancement of their rank in the peerage of this kingdom; and I do earnestly request accordingly, that his majesty will permit me to recommend the Viscounts Mountcashel, Enniskillen, and Carlow, and Lord Farnham, to be created earls; and the Barons Desart, Lisle, Lifford, Erne, Bangor, Clifden, Naas, Doneraile, and Templetown, to be created viscounts.

Lord Mountcashel is particularly recommended by Lord Ely, and has constantly supported government, as have Lord Enniskillen and Lord Carlow. Lord Farnham's pretensions have already been stated. Lord Desart is an active supporter of government in the House of Lords; Lord Lisle is strongly recommended by Lord Shannon; Lord Lifford's merits need not be repeated; Lord Erne engages to bring a member of parliament, to be recommended by government, on the next general election, and will be responsible for the conduct of his brother, who will then come

into parliament under his influence; Lord Bangor's two sons came into the support of administration on condition of this recommendation; Lord Clifden has long and faithfully served the crown; Lord Naas has been already recommended; Lord Doneraile's two sons have given their support in the House of Commons; and Lord Templetown is zealously attached, as are all those other noblemen, to his majesty's person and government.

And I also request his majesty's permission to recommend that the earl of Inchiquin, Lieutenant-General Robert Cunninghame, John O'Neill, Luke Gardiner, and Richard Townshend, Esquires, be appointed of his majesty's privy council in this kingdom.

I desire your lordship will lay these my humble recommendations, as being for his majesty's service, &c. &c.

BUCKINGHAM.

Nov. 19, 1780.

MY LORD,—I must say that no man can see the inconvenience of increasing the number of peers more forcibly than myself; but the recommendations of many of those persons submitted to his majesty for that honour, arose from engagements taken at the press of the moment to secure questions upon which the English government were very particularly anxious. My sentiments cannot but be the same with respect to the privy council and pensions, and I had not contracted any absolute engagements of recommendation either to peerage or pension, till difficulties arose which necessarily occasioned so much, and so forcibly communicated, anxiety in his majesty's cabinet, that I must have been culpable in neglecting any possible means of securing a majority in the House of Commons, &c. &c.

BUCKINGHAM.

Nov. 19, 1780.

James Carigue Ponsonby, Esq.—This gentleman bought his seat in parliament, and in the contest for the speaker's chair, offered his vote to Lord Harcourt, in favour of Mr. Pery, on condition he should represent his conduct to his majesty, hoping it might be kept in account when he should on some future day be thought deserving of his majesty's favour. This request was complied with by Lord Harcourt, as will appear by his lordship's letter to Lord Weymouth, of Sept. 11, 1776; and as this gentleman's conduct in support of government has been very uniform and honourable during my administration, and I have not been able to provide for him in the line of office agreeably to the expectations which had been given him, I am induced to hope his majesty will consider him as a worthy object of his royal bounty.

Charles Henry Coote, Esq., son to Deane Coote.—This gentleman is

member for the Queen's County, and has generally, during the present parliament, supported his majesty's measures; but in the last session, when it became difficult for members of counties to give an uniform support, I promised Mr. Coote to recommend him to his majesty for this favour, in the manner specified in my official letter, if there should not be an opportunity for my gratifying him with some civil employment, upon the terms of his giving a consistent support to government, which he has very honourably performed.

Francis Bernard Beamish, Esq., was brought into parliament for the borough of Rathcormack by Mr. Tonson, in conjunction with whom he has uniformly supported his majesty's measures. In the session 1777, Mr. Tonson having resigned the office of lieutenant-governor of Cork, I gave Mr. Beamish assurance of a civil employment; and not having found it in my power to provide for him in that mode, I promised to recommend him to his majesty for this mark of the royal favour.

Ponsonby Tottenham, Esq., nephew to the earl of Ely.—His father and two brothers are in parliament, and, with him, have been constant supporters of his majesty's government.

James Sommerville, Esq., member of parliament for the borough of New Town, which seat he purchased. Before the opening of the last session, Mr. Sommerville offered his support, which he has most uniformly given, upon the assurance of some provision. He was formerly in business as a merchant, but unsuccessful; and being in distressed circumstances, and no opportunities offering of providing him with office, I am induced to recommend him for his majesty's bounty.

William Caulfield, Esq., member for the borough of Tulsk, who has the collection of Donaghadee, and keeping house at the Capeland Isle, worth about £300 per annum, which he will resign to accommodate government. He was formerly an officer in the army, in which service and in the revenue he has been upwards of forty years. Mr. Caulfield has been a constant and uniform supporter of government, and is most zealously attached to his majesty's service.

Thomas Nesbitt, Esq., member of the borough of Cavan. This gentleman was early recommended me for some mark of favour by the late attorney-general, and he has been a constant supporter of government; and as I have not been able to provide for him in office, and he has represented to me that the expense of living in Dublin during the session is distressing to him, I have recommended him to his majesty for this small pension, his father having already a pension of £600 a year.

James Sheil, Esq., one of the commissioners of appeals, is an old servant of the crown, and when in parliament constantly supported government. His distresses at present prevent him from executing his office, which I have given to Mr. Tydd, member for Maryborough, who sup-

ported government during the present session, upon a promise of being promoted on the first vacancy of this board. Mr. Sheil has been recommended to me, in his unfortunate situation, as a proper object of his majesty's bounty.

Robert Sibthorpe, Esq., one of his majesty's counsel in this kingdom, and the president at the general quarter sessions of the county of Dublin, with a salary of £200 a year. As the present distressed state of this gentleman's circumstances do not allow of his executing this office in person, and the service of the county requires it to be performed by a gentleman of practice and ability in the law, I am induced to recommend Mr. Sibthorpe for his majesty's bounty, and intend appointing as his successor, with an additional salary of £300 a year, Mr. Toler, the member for Tralee, who supported his majesty's measures during the last session with great zeal and firmness, and will, I have no doubt, from his abilities and knowledge, give very great satisfaction to the county of Dublin: an official application for the additional salary accompanies this letter.

Sir Boyle Roche, member of parliament for the borough of Gowran, which seat he purchased, with a view to support government, to which he is most zealously attached.

Edward Bulkeley, Esq., was formerly joined with his uncle, the late Michael Clarke, Esq., in the office of agent for the half-pay officers, worth about £600 per annum; which office, upon Mr. Clarke's demise, he enjoyed for some time solely, but in Lord Harcourt's administration it was given to Sir William Montgomery, for the accommodation of government, and a pension granted to Mr. Bulkeley of £250 a year, which not being equal to the income of his office, the present sum is recommended to make up the deficiency.

The Honorable John Evans is brother to Lord Carbery, and was former collector of Loughrea, but his extreme ill state of health disabling him from executing his office, he resigned it in hopes of receiving some provision from government.

Mrs. Elizabeth Jebb, wife of Dr. Frederick Jebb, a physician of this town, and author of the letters which appeared in the beginning of the last session, under the signature of "Guatimozin," and other political productions. As the press was exceedingly violent at that time, and had great effect in inflaming the minds of the people, it was recommended to me as a measure of absolute necessity, by some means, if possible, to check its spirit. On this a negotiation was opened with Dr. Jebb, who was then the chief of the political writers, and he agreed, upon the terms of my recommending him for a pension of £300 a year, to give his assistance to government. Since that time he has been very useful, as well by suppressing inflammatory publications, as by writing and other services, which he promises to continue to the extent of his power.

Dame Jane Heron.—I some time since appointed Sir Richard Heron, my chief secretary, to the office of searcher, packer and gauger at Cork, the value of which, upon an average of the last seven years, is about £700, although the years since the war have been higher than that average; and in order to make it equal to what his majesty has been graciously pleased to consider as a proper recompence to the chief secretary of the lord lieutenant of Ireland for his discharge of that very laborious and arduous station, I have, at Sir Richard's desire, requested that his majesty would be graciously pleased to grant this pension to Lady Heron. I have, by the same messenger, transmitted to their lordships a recommendation that the pensions upon the civil establishment of Guy Moore Coote be transferred to his wife, Mrs. Mary Coote. This gentleman always voted with government; and as this was the only request he made, I was induced to comply with it.

Their lordships will receive a third letter, recommending Joseph Sirr, Esq., for a military pension. Mr. Sirr served many years in the army; and some time ago, in the office of sheriff of this county, was of singular service to government: he has long executed the office of deputy judge advocate, the emoluments of which amounted to the sum of £150 per annum; but, having lately lost his sight, is incapable of any longer discharging that duty: his great age, added to his long and faithful services, render him a very worthy object of the royal favour.

The messenger carries with him another letter, recommending pensions to Henry Meredyth, Esq., in trust for his nieces Letitia Meredyth and Judith Woodward; and a further separate application for pensions for Robert George Gamble and Mr. Edward Stirling. The reasons which have induced me to make these requests are fully set forth in the letters severally recommending them.

I have also made my humble request to his majesty, through their lordships, that the salary of £150 a year, placed on the civil establishment for the Honourable John Butler, as clerk of the pipe, may be continued to him and his son Humphrey Butler, during his majesty's pleasure, on their being joined in that office. Mr. Butler is great uncle to the present Lord Lanesborough, has been a very old servant to government, and is most zealously attached to his majesty's person and government.

I cannot sufficiently express to your lordships with how much reluctance I state the several requests; but I am driven to this necessity, not having any other means of gratifying the expectations of gentlemen who engaged in the service of government through this long and arduous session. The civil patronage never was so slender as during my administration; and the only two capital offices which fell since my coming to this kingdom, (the secretaryship of state and that of deputy vice-trea-

surer,) were both engaged by my predecessors. I do not mention the late Sir Henry Cavendish's office, as, though he died after my administration, Lord Harcourt was still in the possession of the government.

If my recommendation respecting Lord Shannon and Mr. Forster is accepted of, it will enable me to make an advancement for a gentleman whom Lord Shannon particularly protects; and in succession for Mr. Howard, brother to Lord Clonmore, who, with another brother of his lordship's, have uniformly supported government upon every occasion. The office also of the provost's son,—whom I did not choose to remove, though his office is within my department, till I knew your lordship's sentiments with respect to his father,—would enable me to fulfil another engagement, and in succession to take off some of the pensions—a species of provision which of all others gives the greatest dissatisfaction here.

I have the honour to be, &c.

BUCKINGHAM.

If we now extract from the Museum account of Ireland, a few tables explanatory of the income and expenditure of the country; and if, with the view of completing the range of cotemporary authorities, we prefix to these tables the picture drawn by Mr. Pitt, upon a later occasion, of the manner in which England was accustomed to govern Ireland; a full description will have been given in this chapter of the condition of the country immediately before the period at which Grattan began to devote himself to the high labour of its regeneration.

In 1781, Mr. Pitt called upon the English House of Commons "to recollect, that, from the Revolution to a period within the memory of every man who heard him, until these very few years, the system had been that of debarring Ireland from the enjoyment and use of her own resources,—to make that kingdom subservient to the interests and opulence of this country, without suffering her to share in the bounties of nature, in the industry of her citizens, or making them contribute to the general interests and strength of the empire. This system of cruel and abominable restraint had, however, been exploded. It was at once harsh and unjust, and it was as impolitic as it was oppressive; for, however necessary it might be to the partial benefit of districts in Britain, it pro-

moted not the real prosperity and strength of the empire. That which had been the system counteracted the kindness of Providence, and suspended the industry and enterprize of man. Ireland was put under such restraint that she was shut out from every species of commerce. She was restrained from sending the produce of her own soil to foreign markets, and all correspondence with the colonies of Great Britain was prohibited to her; so that she could not derive their commodities but through the medium of Britain. This was the system that prevailed, and this was the state of thraldom in which that country had been kept ever since the Revolution."

The following are the tables already referred to. The details will be found worth examination. We shall only point to one significant fact. In the year 1772, the total income appears to have amounted to £839,756 11*s*. 7½*d*.; and the expence of collection, deducting bounties and drawbacks, to £126,893 5*s*. 8*d*. In the following year, 1773, the income was £887,935 15*s*. 1*d*.; and the expence of collection, deducting bounties and drawbacks, £140,120 13*s*. 5*d*.

AN ABSTRACT of the HEREDITARY REVENUE and ADDITIONAL DUTIES, for two Years, ending the 25th of March, 1773.

	In the Year ending Lady-day, 1772.			In the Year ending Lady-day, 1773.		
Hereditary Revenue:	£	*s*.	*d*.	£	*s*.	*d*.
Light House Duties	451	13	6	495	8	2½
Casual Revenue { Ancient Part	1,142	5	1	1,060	8	9
Casual Revenue { Modern Part	3,729	7	3½	5,179	19	8¾
Crown Rents, Composition Rents, and Quit Rents	64,084	5	8½	64,076	6	6¾
Customs, Inwards	199,368	12	7½	232,767	15	9¾
Customs, Outwards	38,850	16	1½	37,397	10	2
Imported Excise	146,461	11	2½	151,661	9	4
Inland Excise	70,319	7	9	74,991	5	4½
Ale Licences	7,898	9	8½	7,887	6	0½
Wine and Strong Water Licences	21,012	0	0	21,309	13	4
Hearth Money	58,439	18	6	59,938	10	6
Residue of the Duties on Teas	4,799	17	6	6,638	4	6
Prizage	3,797	10	0	4,335	0	0
£	620,355	14	11	667,738	18	4

Abstract of the Hereditary Revenue, &c.—*continued.*

	In the Year ending Lady-day, 1772.			In the Year ending Lady-day, 1773.		
Additional Duties:	£	s.	d.	£	s.	d.
Tobacco	66,241	0	3	68,971	5	8
Wine	16,429	11	0	19,454	12	3
Spirits	83,080	9	10	71,305	11	6½
Muslin	4,056	12	11	6,414	14	8
Foreign Paper	596	18	4	739	5	8
Molasses	1	13	0	—		
East India Silks and Stuffs	42	7	6	36	12	4
Ale, Beer, and Strong Waters	48,971	3	10¼	53,274	14	7½
£	219,419	16	8¼	220,196	16	9

An ABSTRACT of the EXPENCE of MANAGEMENT, of BOUNTIES, DRAWBACKS, &c., for two Years ending 25th March, 1773, paid out of the Revenue, *in transitu.*

	In the Year ending 25th March, 1772.			In the Year ending 25th March, 1773.		
	£	s.	d.	£	s.	d.
Salaries to Officers on the Revenue Establishment	30,720	12	2½	88,847	0	5½
Incident Charges	26,052	13	8½	31,529	6	7¾
Officers' Rewards for Tobacco and Tea seized and sold	255	13	11¾	—		
Portage Bills	1,944	14	4	2,145	18	0
Repayments to Merchants	7,917	15	10	5,398	2	2
Wine Warrants to Privy Councillors	916	19	0	923	5	0
Light House Expenses	1,446	7	9	1,270	10	8
Salaries to Hearth-money Officers	6,308	0	0	6,367	18	4½
Hearth-money Incidents and Constables	957	11	11½	940	17	3¾
Allowance claimed on Hearth-money Collectors and Gaugers' Balances	351	11	2½	1,769	8	6
Arrears of Inland Excise	21	5	8¾	928	6	9¾
£	126,893	5	8	140,120	13	11
Bounties:						
For Convicting Burglary, perpetual	.	.	.	35	0	0
Flax Seed Imported (21 Years, from 1763)	6,874	6	9	9,405	2	7
Flax Seed Exported (21 Years, from 1763)	.	.	.	52	0	0
Land Carriage of Corn, &c. to Dublin, perpetual	39,560	15	3	44,508	16	4
Carried forward £	46,435	2	0	54,000	18	11

Abstract of the Expence of Management, &c.—*continued.*

	In the Year ending 25th March, 1772.			In the Year ending 25th March, 1773.		
Bounties—*continued.*	£	s.	d.	£	s.	d.
Brought forward . .	46,435	2	0	54,000	18	11
Irish Coal brought to Dublin by Sea . { 21 Years, from 1772 } .	113	11	0	209	11	8
Fishing Busses	9,424	2	5	11,012	12	4
Irish Cured Fish Exported . } 14 Years, Irish Fish Oil and Whalebone . } from 1766	511	9	10	663	15	2½
	100	5	4			
£	56,584	10	7	65,886	18	1¼
Drawbacks on the Additional Duties:						
Tobacco	1,862	11	0½	911	3	5
Wine	193	7	3	199	15	0
Spirits	4,222	18	1	1,476	12	3
Muslin	11	15	4	1	15	5
Foreign Paper	14	15	3	—		
£	6,305	6	11½	2,589	6	1

AN ABSTRACT of the CIVIL ESTABLISHMENT.

	As it stood at Michaelmas, 1767.			As it stood at Michaelmas, 1772.		
	£	s.	d.	£	s.	d.
Exchequer	6,207	10	2	6,547	10	2
King's Bench	2,749	5	1	2,749	5	1
Chancery	3,617	19	11	3,617	19	11
Common Pleas	2,607	10	0	2,607	10	0
State Officers	7,503	8	6	7,503	8	6
Incidents	13,819	18	10½	15,643	17	0¾
Custom Officers	2,288	6	8	2,688	6	8
Perpetuities	1,156	16	7	1,456	16	7
Commissioners of Appeals . .	600	0	0	1,500	0	0
Nonconforming Ministers . .	1,200	0	0	1,200	0	0
Concordatums	5,000	0	0	5,000	0	0
Commissioners of Barracks, &c. .	3,150	0	0	3,150	0	0
Court of Admiralty	300	0	0	300	0	0
Commissioners of Accounts .	. .		.	2,800	0	0
Pensions	83,541	7	6	80,249	17	6
French Pensions	811	7	6	701	13	9
£	134,553	10	9½	137,716	5	2¾

AN ABSTRACT of the MILITARY ESTABLISHMENT.

	As it stood at Michaelmas, 1767.			As it stood at Michaelmas, 1772.		
	£	s.	d.	£	s.	d.
General Officers	28,611	18	4	25,874	8	4
Military Contingencies	3,000	0	0	3,000	0	0
Military Incidents	60	0	0	60	0	0
4 Regiments of Horse	41,074	13	4	41,074	13	4
8 Ditto of Dragoons	71,044	4	2	71,044	4	2
30 Battalions of Foot, 1767	236,145	17	6	275,602	7	6
27 Battalions of Foot only, 1772						
4 Regiments of Horse	3,212	0	0	3,212	0	0
8 Ditto of Dragoons	4,964	0	0	4,964	0	0
30 Ditto of Foot	9,855	0	0	9,855	0	0
Battle Axe Guards	1,891	18	4	1,891	18	4
Additional Pay in Dublin	3,672	1	0½	3,672	1	0½
Governors of Garrisons	3,503	5	0	3,503	5	0
Fire and Candle for Guards, &c.	166	0	0	166	0	0
Military Pensions	3,686	8	4	5,509	13	4
Half Pay	35,068	2	8½	27,474	12	3½
Barracks	13,336	10	0	13,336	10	0
Widows of Officers	5,569	4	0	5,569	4	0
£	464,861	2	9	495,809	17	4

N.B.—To this must be added the Establishment of the Ordnance, which, with the Contingencies, amounts to about £17,000 per annum.

During the exciting struggle which now took place, circumstances of peculiar interest and power favoured Mr. Grattan's efforts, and the advancement of the national cause. The very year after that in which he commenced his parliamentary career, was made memorable by the enrolment of the Irish Volunteers. These celebrated corps, whose influence over the public affairs of their country was for a length of time as mighty as it was beneficial, took their rise in the town of Belfast. Corruption had drained the country of money,—the reverses of the American war had drawn off all the troops,—the privateers of the young republic were sweeping our ships from the sea,—the navy of France was sailing triumphantly along our undefended shores, when the rumour was spread that Ireland was to be invaded. As every man in that country felt convinced that its defence, if invaded, would be impracticable,

the alarm became general. It was at this crisis that the inhabitants of Belfast petitioned the government for a garrison, and received for answer that half a troop of dismounted cavalry, and half a company of armed invalids had been ordered to occupy their town. As soon as the minister had thus shown his inability to protect the people, the people undertook to protect themselves; and in discharging this natural duty, they proceeded with equal judgment and spirit. The inhabitants able and willing to bear arms at their own expence for the defence of the country, enrolled themselves into volunteer corps, and obtained fit persons to put them in a state of effective discipline. Other towns followed this example, and ere long, the growing numbers of the force proved so useful, that the government was induced to distribute amongst them 16,000 stand of arms. The English cabinet foresaw from the beginning, and repeatedly remonstrated against, the danger of allowing armed associations of this kind to become general throughout the country; but the exhausted authorities of Dublin Castle were too feeble to control a movement superinduced by their own incapacity, and evidently national. They had misapplied the hereditary revenue which the people paid to the king as the price of protection, and had left the country without defence. Possessing no force of their own, they could not prevent the formation of a popular one. It was upon their side a case of utter impotence, in consequence of which the volunteers, during three years, continued to increase in numbers and to rise in public estimation, until at length they amounted to 40,000 and even to 90,000 men; and ultimately dictated to the government the particular measures which they deemed necessary for the purpose of redeeming the constitution and restoring the commerce and the liberties of their country.

The principles and objects of these armed patriots were clearly and broadly stated. They insisted upon the enjoyment of equal liberty, and similar institutions in Great Britain and Ireland; they proclaimed it to be the duty of every good citizen to maintain the connection between the two countries

inseparable, and also the freedom and independence of Ireland; they affirmed that the King, Lords, and Commons of Ireland *only* were competent to make laws binding the subjects of the realm of Ireland; and they publicly avowed their determination not to obey, nor give operation to any laws save those enacted by the King, Lords, and Commons of Ireland, whose rights and privileges jointly and severally they declared themselves resolved to support with their lives and fortunes.* When language of this kind was held by noblemen and gentlemen in arms, headed and instructed by such leaders as the duke of Leinster, the earl of Charlemont, by Grattan, Flood, and by not a few† of the members of both houses of parliament who were most distinguished for rank, property, and talents, the experiment was no longer doubtful. It was feebly met by a temporising line of action upon the part of the government, which only served to render the final issue more certain and abrupt.

The Irish parliament was called together in the month of October, 1779, but so disturbed was the public mind, and so strong the apprehension of violence entertained by the executive, that it was resolved at a full meeting of the privy council and confidential servants of the government, to limit the usual two years' vote of the supplies to six months. The embarrassing state of the revenue added to the force of the popular re-action. A sum of £200,000 was demanded to clear off the arrears upon the public establishments to Lady-day, 1779, and it was estimated that a further sum of £300,000 would be required to make good the accruing deficiency up to June 24, 1780. It was therefore proposed to raise half a million sterling by loans and lotteries, and to put on new taxes for the

* Resolutions at the quarterly meeting of the Dublin Volunteers, the duke of Leinster in the chair, June 9, 1780.

† In the month of July, 1780, the different volunteer corps were reviewed throughout the kingdom; those in Westmeath, by the earl of Belvidere; those in Sligo and Galway, by the earl of Clanricarde; those in Londonderry, by Lord Erne; those in Cork, by the earl of Shannon; those in Clare and Limerick, by the earls of Kingsborough and Inchiquin; and those in Wicklow, by the earl of Ravenscourt.

purpose of providing a fund to pay off the money borrowed. But the scheme was successfully resisted, and at last the two governments,—the English as well as the Irish,—were compelled by their distresses to relax the severe code by which Ireland had been so long afflicted. On the motion of Mr. Foster, two resolutions were carried unanimously—the first, that the exportation of its woollen and other manufactures would tend to relieve Ireland; the second, that liberty to trade with the colonies in America and the West Indies, and the settlements in Africa, would be productive of great commercial benefits. An act passed early in the next year by the parliament of Great Britain adopted these resolutions, and so far the colonial trade was thrown equally open to Ireland as to England.

Grattan now determined to assert the independence of the Irish legislature. For this purpose he prepared a declaration of rights, and announced his intention of moving for a repeal of Poynings' law. Of this noble labour he has himself given an interesting account. It roused, as soon as it became known, a host of passions. Hope, terror, anger, and resentment agitated the public mind in every direction. Tortured and oppressed by the doubts of the timid, the forebodings of the grave and prudent, and the menaces of the factious and the corrupt, Grattan withdrew for awhile to Celbridge Abbey,—a retreat sacred to the memory of Irish genius,—and took counsel of his old friend and relative, Colonel Marlay, who sustained and encouraged him to advance. "Along the banks of that river," he writes, "amid the groves and bowers of Swift and Vanessa, I grew convinced that I was right; arguments unanswerable came to my mind, and what I then prepared, confirmed me in my determination to persevere; a great spirit arose among the people, and the speech which I delivered afterwards in the house, communicated its fire and impelled them on: the country caught the flame, and it rapidly extended. I was supported by eighteen counties, by the grand jury addresses, and the resolutions of the volunteers. I stood upon that ground,

and was determined never to yield. I brought on the question, April 19, 1780. That was a great day for Ireland—it gave her liberty."

The question was submitted in the form of three resolutions, which were moved by Mr. Grattan, and seconded by Mr. Stewart, afterwards marquis of Londonderry.

"Resolved,—1. That his most excellent majesty, by and with the consent of the Lords and Commons of Ireland, are the only power competent to enact laws to bind Ireland.

"2. That the crown of Ireland is, and ought to be, inseparably annexed to the crown of Great Britain.

"3. That Great Britain and Ireland are inseparably united under one sovereign, under the common and indissoluble ties of interest, loyalty, and freedom."

Grattan spoke for two hours in support of these resolutions, and in the following strain:—

"If I had lived when the 9th of William took away the woollen manufacture, or when the 6th of George I. declared this country to be dependent, and subject to laws to be enacted by the parliament of England, I should have made a covenant with my own conscience to seize the first moment of rescuing my country from the ignominy of such acts of power; or, if I had a son, I should have administered to him an oath, that he would consider himself as a person separate and set apart for the discharge of so important a duty. Upon the same principle am I now come to move a declaration of right, the first moment occurring since my time, in which such a declaration could be made with any chance of success, or without aggravation of oppression."

. . . . . .

"Let corruption tremble; let the enemy, foreign and domestic, tremble; but let the friends of liberty rejoice at these means of safety, and this hour of redemption. Yes; there does exist an enlightened sense of rights, a young appetite for freedom, a solid strength, and a rapid fire, which not only put a declaration of right within your power, but put it out of your power to decline one. Eighteen counties are at your bar; they stand there with the compact of Henry, with the charter of John, and with all the passions of the people. 'Our lives are at your service, but our liberties, we received them from God; we will not resign them to man.' Speaking to you thus, if you repulse these petitioners, you abdicate the privileges of parliament, forfeit the rights of the kingdom, repudiate the instructions of your constituents, bilge the sense of your country, palsy the enthusiasm of the people, and reject that good, which—not a

Lord North, not a Lord Buckinghamshire, not a Lord Hillsborough, but a certain providential conjuncture, or, rather, the hand of God seems to extend to you. Nor are we only prompted to this when we consider our strength; we are challenged to it when we look to Great Britain. The people of that country are now waiting to hear the parliament of Ireland speak on the subject of their liberty. It begins to be made a question in England, whether the principal persons *wish* to be free. It was the delicacy of former parliaments to be silent on the subject of commercial restrictions, and to show a knowledge of the fact, and not a sense of the violation. You have spoken out; you have shown a knowledge of the fact, but not a sense of the violation. On the contrary, you have returned thanks for a partial repeal made on a principle of power: you have returned thanks as for a favour; and your exultation has brought your charters as well as your spirit into question, and tends to shake to her foundation your title to liberty. Thus you do not leave your rights even where you found them. You have done too much not to do more; you have gone too far not to go on; you have brought yourselves into that situation in which you must silently abdicate the rights of your country, or publicly restore them. It is very true, you may feed your manufacturers, and landlords may get their rents; or you may export woollens, and load a vessel with baize, serges, and kerseys; and you may bring back again, directly from the plantations, sugar, indigo, speckle-wood, beetle-root, and panellas. But liberty, the foundation of trade, the charters of the land, the independency of parliament, the securing, crowning, consummation of every thing, are yet to come. Without them, the work is imperfect, the foundation is wanting, the capital is wanting, trade is not free, Ireland is a colony without the benefit of a charter, and you are a synod without the privileges of a parliament."

. . . . . .

"Sir, we may hope to dazzle with illuminations, and we may sicken with addresses; but the public imagination will never rest, nor will her heart be at ease—never! so long as the parliament of England exercises or claims a legislation over this country: so long as this shall be the case, that very free trade, otherwise a perpetual attachment, will be a cause of new discontent. It will create a pride to feel the indignity of bondage; it will furnish a strength to bite your chain; and the liberty withheld will poison the good communicated.

"The British minister mistakes the Irish character. Had he intended to make Ireland a slave, he should have kept her a beggar. There is no middle policy: win her heart by the restoration of her right, or cut off the nation's right hand; greatly emancipate, or fundamentally destroy. We may talk plausibly to England; but so long as she exercises a power to bind this country, so long are the nations in a state of war. The claims of the one are against the liberty of the other, and the sentiments

of the latter go to oppose those claims to the last drop of her blood. The English opposition are therefore right; mere trade will not satisfy Ireland. They judge of us by other great nations, by the nation whose political life has been a struggle for liberty: they judge of us with a true knowledge and just deference for our character—that a country, enlightened as Ireland, chartered as Ireland, armed as Ireland, and injured as Ireland, will be satisfied with nothing less than liberty."

Other strains of equally fervid eloquence were poured forth, and the house divided, after a debate of fifteen hours—ayes, 97; noes, 136. But this repulse neither cooled the ardour, nor shook the determination of the popular leaders. Poynings' law was attacked by Mr. Yelverton, afterwards Lord Avonmore, who proposed to regulate the transmission of bills to England, and lost his motion by no more than 25 votes, the ayes being 105, and the noes 130. The government continued to preserve their majority in the Commons, but out of doors their authority was in more than one respect powerless. The English Mutiny Act, which asserted the right of punishing deserters and military offences in Ireland, was now resisted. Upon a motion made by Mr. Bushe, for leave to bring in the heads of a bill to regulate the punishment of deserters in Ireland, the votes were 148 to 75 against the measure; but the victorious lord lieutenant was at the same time compelled to tell the minister in London that the English law was a dead letter, as no Irish magistrate would put it into execution. Nevertheless an absolute authority, maintained for ages, was not to be easily wrested away. Instead of yielding the point in dispute to the Irish parliament, the English minister declared the Mutiny Act perpetual!

It was for the sake of maintaining himself in this position that Lord Buckinghamshire was forced to carry bribery to the extent described in the official correspondence already quoted. Having exhausted "the means of gratifying the expectations of gentlemen who engaged in the service of government through this long and arduous contest," he was succeeded by the earl of Carlisle. Under this administration the usual abuse in the patronage of government, the old arts of seducing the leaders of the opposition, and the esta-

blished waste of the public revenue, were continued with so much skill and assiduity, that at one time there were only 30 members to be found voting against the government in the House of Commons. Yet it was during the session of 1781, that two important concessions were made to the liberty of the subject. The penal laws against the Roman Catholics were relaxed in some degree, and Ireland obtained for the first time an Habeas Corpus Act. It was also during the administration of Lord Carlisle, that the Bank of Ireland was established.

But compactly as corruption had bound the creatures of government together in parliament, the volunteers and the friends of freedom gathered numbers, strength, and power throughout the country. At every step they assumed a bolder attitude, and in the year 1782, enjoyed the triumph of complete success. This great achievement was expedited by two important proceedings—first, the convention of 242 delegates from the volunteers of all Ireland, held at Dungannon, Feb. 15, 1782, at which the celebrated resolutions drawn up by Grattan and Flood were passed; and second, the dissolution of Lord North's ministry in the course of the following month. The earl of Rockingham becoming prime minister; Mr. Fox, secretary of state; and the duke of Portland, lord lieutenant of Ireland; assiduous efforts were quickly made to induce the popular leaders in Ireland to delay the measures which they had been urging forward, and to allow time for a mature consideration of the proposed improvements in the constitution. The reply returned to these importunities was excellent. "We are pledged to the people," said Grattan, "our measures are public property, and cannot be postponed." He and Lord Charlemont were then solicited to take office, but they declined the overture. Of this conduct Mr. Grattan well observed upon a subsequent occasion,—"I was young and poor; I had scarcely £500 a year. Lord Charlemont was as poor as any peer, and I as any commoner. We were, however, determined to refuse office: our opinion, and a just one too, was, that office in Ireland was different from office in England; it

was not a situation held for Ireland, but for an English government, often in collision with, and frequently hostile to, Ireland. We stated that we should be consulted, but not considered."

It was by this dignified independence, a firm and noble virtue, which constantly accompanied his public conduct, that Grattan rose immeasurably superior in point of personal spirit and political merit to all his contemporaries. And richly did he now reap his ripe reward. The English ministry applied to him for an enumeration of the grievances of his country, and for instructions as to the manner in which they should be redressed. Being thus honoured, he specified four grievances—foreign legislation, a foreign judicature, a legislative privy council, and a perpetual army; and to remove these he demanded—

"The relinquishment of legislative and appellant judicature by the British parliament, or the repeal of 6 Geo. I.

"The practice of the privy council to alter and suppress bills passed by the Irish parliament, to be removed by law.

"The perpetual Mutiny Bill to be repealed, and a new Mutiny Bill with the declaration of rights, the number of men, and articles of war set forth; and the whole to be for two years.

"Laws necessary to legalize judgments by the House of Lords and King's Bench in England; to explain Poynings' law.

"The regulation of his majesty's forces to be limited.

"The modification of Poynings' law to be radical and by act of parliament, without leaving the shadow of a grievance to alter.

"These," he adds, "are the only terms I made with government. Whether they are honourable to me or serviceable to the country, the calm sense of posterity will judge." A fair understanding, but no explicit arrangement, appears to have been come to upon these important questions when the session of 1782 was opened by the duke of Portland. Grattan's confidence in the result, however, may be judged of by the style

of his speech when moving the memorable amendment to the address, which being carried unanimously, anticipated and assured the victory.

"I am now," he began, "to address a free people! Ages have passed away, and this is the first moment in which you could be distinguished by that appellation.

"I have spoken on the subject of your liberty so often, that I have nothing to add, and have only to admire by what heaven-directed steps you have proceeded, until the whole faculty of the nation is braced up to the act of her own deliverance.

"I found Ireland on her knees; I watched over her with an eternal solicitude; I have traced her progress from injuries to arms, and from arms to liberty. Spirit of Swift! Spirit of Molyneux! your genius has prevailed! Ireland is now a nation. In that new character I hail her, and bowing to her august presence, I say *Esto perpetua!*"

No detail can be here desired of the particular acts of parliament which were now prepared and passed for the purpose of effecting the changes demanded by Grattan and the volunteers. It is enough to state that they proved at the moment satisfactory and agreeable in every respect to the nation, that the public joy was unbounded, and that the gratitude of parliament and the people overflowed with generous deeds. £100,000 were unanimously voted for the service of the navy, and £50,000 to Mr. Grattan. Unfortunately, however, the liberal measures of the year 1782 proved insufficient to ensure freedom to the subject, or purity to the legislature and the government. But an examination of the circumstances by which this striking failure was occasioned, and the union of the two countries was, ere long, brought about, will be most conveniently entered upon as the subject of a separate chapter.

CHAPTER XIII.

OUTLINES OF THE HISTORY OF THE CONNECTION WITH ENGLAND—*concluded.*

THE LEGISLATURE INDEPENDENT AND THE PARLIAMENT UNREFORMED.—SUBSEQUENT HISTORY OF THE VOLUNTEERS, THEIR DISSENSIONS AND DECLINE.—THE COMMERCIAL PROPOSITIONS AND THE REGENCY QUESTION RENDER THE UNION INEVITABLE.—CONTINUED CORRUPTION, IMPERFECT REFORMS, AND INCREASED DISCONTENT.—MR. GRATTAN WITHDRAWS FROM THE PUBLIC SERVICE.—THE REBELLION OF 1798.—THE UNION COMPLETED IN 1800.

THE frequent recurrence of political revolutions during the course of the last sixty or seventy years has enabled us to form opinions, at the present day, to some extent well defined and positive, respecting the general laws by which popular movements of this kind are governed. Almost in every instance it appears to have been necessary to generate and bring to bear upon the proposed object a much greater degree of power than has ultimately sufficed for its attainment, and thus the goal has seldom been reached without having been overshot. As the heated race-horse, when his mettle is put forth to the utmost, will defy restraint and bound far beyond the winning post; so a popular body effecting either a revolution or extensive reforms, is sure to be carried by the mere force of the action which has set it into motion, upon a much more extended course than was originally contemplated. Skill, judgment, firmness, and influence of the highest order have upon a few signal occasions availed to hold a whole people within timely bounds, even when flushed with the excitement of complete success. But this result has been rarely—very rarely produced. On the other hand, whenever the public ardour has not been opportunely cooled, and

the public energy has not been gradually diverted to pursuits of ordinary use, violent imprudence—wild folly—and at last some gross excesses have been committed. Regeneration has thus been repeatedly expanded into an enormity nearly as hideous and intolerable as the original evil it was intended to destroy!

On the other hand, no mistake can be more fatal than that which supposes that it is wise to stop short and stand still after making a powerful national exertion. Repose, no doubt, and composure are then most desirable, and should be carefully sought for. But the address of the successful statesman is principally displayed by continuing the new action while he abates its intensity. If he arrests it suddenly he is plunged into a state of imminent danger. No sooner therefore has any great constitutional reform been accomplished, than immediate provision is required for the introduction of a machinery suitable to its intended operations. Omit that provision and the recent change will often be found rather to have aggravated, than to have remedied the old evil. For nothing has been more strongly proved by experience than this decided fact, that every comprehensive reform requires to be accompanied by a number of smaller ones. These, though insignificant when detached and considered by themselves, are often found, when taken in the aggregate, so obstinate as to clog, if they are neglected, and to neutralize the progress of the greater action with which they are connected.* A machinery

* The truth of these observations has been attested by two striking examples in our own time. The Duke of Wellington and Sir Robert Peel passed the Catholic Relief Bill in 1829, and then stopped suddenly short. From that day to this, Ireland has continued in a most convulsed and dangerous state, with the exception of the interval during which Lord Melbourne's ministry was sensibly occupied with the task of acting in the spirit of that Relief Bill. While the lesser reforms were in a course of introduction, which were imperatively required in order to enable the greater ones to work efficiently, there was quiet and content. The stop-short policy broke down the Wellington ministry; and, with that example before their eyes, Lord Grey's administration passed the Reform Bill, and propounded the doctrine of finality. Their fate then became inevitable: they followed the fall of the Wellington and Peel ministry, which has revived, and now holds office by practising the principle of progressive reform, which they so long and so vehemently condemned and resisted when the Whigs sought to move upon it.

is thus demanded, of which the larger wheel will not work well, unless the movement of the lesser wheels be concurrently harmonious and well regulated.

If the Irish revolution of 1782 be tested by the application of these general rules, it will be found but a lame and imperfect experiment. When the independence of the legislature was declared, a principle entered into the body of the constitution pregnant with the right to originate and effect every measure by which public virtue, constitutional liberty, and the prosperity of the country could be strengthened and advanced. But when the parliament itself was not touched—when the greater reform was unaccompanied by the smaller reforms necessary to give it a smooth and effective action—the proper means of turning the recently acquired power to good account were not supplied; the seeds of the old corruption were allowed to lie in their usual hot beds at the heart of the new system, and there to germinate and throw off without restraint all their natural excrescences and abuses. The landed oligarchy were left undisturbed in their ancient haunts where the English minister found them as willing, as he was anxious, to renew the practices by which the government of the country had been hitherto rendered profitable to them, and disastrous to the people. A partial relaxation of the penal laws against the Catholics;* and, more efficacious still, the exten-

* These tardy labours of humanity and wisdom began in the year 1778, when Mr. Gardiner procured an act (17 & 18 Geo. III., c. 49) for the relief of his majesty's subjects in this kingdom professing the popish religion. By that law any Catholic subscribing the oath of allegiance and declaration prescribed by the 13 & 14 Geo. III., c. 35, was allowed to hold and dispose of a lease of land for 999 years certain, or determinable upon the dropping of five lives; Catholics, then possessed of lands, were empowered to retain, devise, and alienate them as freely as any other of his majesty's subjects. The power thus conferred of holding leasehold property was extended to freehold by the act 21 & 22 Geo. III., c. 24., for the further relief of his majesty's subjects of this kingdom professing the Roman Catholic religion. This law, besides repealing several of the penalties and the most offensive parts of the acts of Ann, Geo. I. and Geo. II., such as fines and imprisonment for hearing mass, for having a horse worth more than £5., and purchasing a house in the towns or suburbs of Limerick or Galway, &c., enabled Catholics to hold and dispose of lands, except advowsons, manors, and boroughs returning members to parliament. 21 & 22 Geo. III., c. 62. An act to allow persons professing the

sion of the national commerce under the free trade laws of the period, quickly enlarged the sphere and enhanced the value of industrial enterprise and the productive labour of all classes of the community. But there was no commensurate improvement made in the political institutions, or in the aristrocratic system of government. Mr. Fox and the Whigs who were the patrons of the change enjoyed but a short tenure of office, less friendly ministers took charge of the state, and thus there occurred an interval, during which a rapid increase in the quantity and value of the national exports and imports excited the envy of other nations, while it gratified in the highest degree the national pride of the Irish. That passed, and the corrupt profusion of the government, and the venality of public men, soon brought back the former abuses, until at last bribery became universal, and the debauched and shattered constitution was sold to the English minister under accumulated circumstances of degeneracy and shame.

The question, then, of how far Ireland may be well governed under a separate and independent legislature, if not altogether an unsolved problem, is yet one which hitherto, at least, has not been fairly demonstrated in the negative. It may be argued, partly by facts and partly by analogy, that the trial could not produce a different result under any circumstances; but it is impossible to pretend that the application of the principle was admitted, even for the shortest period, either legitimately or impartially by the current of events embraced between the years 1782 and 1800. The history of all nations shows that many years must elapse between the recognition of a principle and its adoption into general practice. A law of nature seems to have imposed it as an obligation upon mankind, that they should love to contemplate the great moral truths which are the guerdons of liberty, and to worship them long at a distance, before they will take them into their arms and make them the familiar objects of household devo-

Popish religion to teach schools in this kingdom, and for regulating the education of Papists, and also to repeal parts of certain laws relative to the guardianship of their children.

tion and the daily companions of their common avocations. Although the elements of British liberty were discovered, defined, and proclaimed at an early period of our history, we have added little to the principles of Magna Charta since the year 1215; and it is only within a recent period that we can honestly boast of the application of those principles to the every-day use of every member of our vast community. If ages were consumed before the essential properties of the British constitution penetrated to the various members of the body politic, and was equally interchanged and shared by them all, how little will it appear strange that a brief span of eighteen years proved insufficient to allow the Irish nation fit opportunities of bringing their constitution fairly to the test, and evolving its various capabilities through all the details of legitimate action.

It is now an easy task to criticise the poor experiment made in 1782;—it is easy to point out its defects and to enumerate the disadvantages which its patrons had to contend with, as well as the mistakes, too numerous and mischievous, which they committed;—it is easy to show where the measure particularly failed, and who were the men most at fault upon the occasion. From first to last, the whole proceeding is plainly explicable. We behold all the men and all the classes best fitted to give advice and assistance at such a juncture, unanimous in the assertion of one principle, but disagreeing unfortunately in their modes of giving it effect. Every section of the liberal party concurred in holding the immediate reform of the House of Commons indispensable to the common weal; but, while the volunteers assembled in numbers, and peremptorily demanded that essential improvement, with arms in their hands, the friends of the new constitution felt that this was neither a becoming nor a safe attitude to assume, and that the continuance of violent proceedings must prove equally subversive of public order and legislative deliberation. The latter resisted the attempt to control the parliament and to dictate to the minister by demonstrations of physical force. This division of the popular party caused

the loss of the measure itself—a measure which all desired to obtain, and which alone could have given an important bearing to the empty triumph of legislative independence.

Two men of very different characters seem to have been principally blameable upon this fatal occasion—the earl of Charlemont and the Right Honourable Frederick Flood. These eminent persons continued to lead the volunteers, to preside at their stormy meetings, and to render homage to their indignant enthusiasm, when Mr. Grattan withdrew from the agitation, and desired to prosecute the remaining work of reform without bringing to bear, against the legislature and the government, the violence of a public force which presented not a few of the characteristics of a general insurrection. Lord Charlemont was a nobleman possessing many claims to the confidence and regard of his fellow-countrymen. An accomplished scholar, and distinguished by his knowledge and his taste in the fine arts,—humane, affectionate, and liberal in his disposition and principles,—honourable to the purest extent, and perfectly disinterested,—he was sincerely attached to liberty, and deeply impressed with a sense of the evils with which a long period of misgovernment had oppressed his native land. To show him that a grievance existed, and that his fellow-countrymen were suffering under its pressure, sufficed at all times to excite his sympathy, and insure his co-operation in obtaining its redress. But though unquestionably a good and an amiable man, Lord Charlemont was far from being either a great or a very useful one. He had no genius, no originality, no boldness or force of character. It would be difficult to instance a second individual who took for many years so conspicuous a place in politics, and displayed during the whole course of his career so little political talent. He had the honour of introducing Mr. Grattan into public life, but, finding himself outstripped by the superior energy and the uncompromising decision of the younger patriot, he seems to have taken umbrage at his progress, to have become estranged from him, and to have employed his feebler powers in attempting to counteract the influence and neutralize the

labours of the only Irish statesman who was endowed with abilities of the highest order, and never once devoted them to any service but the good of Ireland.

Mr. Flood, at this crisis, seems to have acted a far more censurable part than Lord Charlemont. The line of conduct which in the peer was in no small degree the result of weakness and simplicity of character, presents in the commoner all the marks of conscious error and deliberate mischievousness. The Right Honourable Henry Flood, though still pronounced a patriot by many Irish writers, really possessed few of the genuine properties of that high character. He was unquestionably a man of considerable powers,—the stamp of eminent merit was deeply impressed upon every thing he produced,—strength and superiority distinguished his life; in eloquence he was consummate, and only surpassed by Grattan; his ambition, like his eloquence, was bold and ardent; but his personal vanity was of the most jealous and susceptible kind, and his temper was most irascible and unforgiving. He was proud of office, and attached to it as much for the sake of the distinction it conferred as the emolument it contributed to his private fortune, which was large.* He had great and useful qualities, but they were marred by his vices, which gave the government the benefit of services that belonged to his

* The rental of Mr. Flood's estates, in the county of Kilkenny, is said to have been nearly £7,000 a year; but although thus richly provided for, he sought and obtained one of the best appointments which the government could bestow—the office of vice-treasurer, with a salary of £3,500 a year; there being at the same time two other vice-treasurers, each with as large a salary. In 1780 he resigned, in a fit of displeasure, because the earl of Buckinghamshire refused to entertain some measures which he desired to carry. For that act he would have deserved the thanks of his country and the admiration of the historian, had he not forfeited all claim to respect by clamouring against the Whigs in 1782, because they would neither turn out his successor, and replace him in the sinecure, nor consent to make him the subject of such a parliamentary vote as Grattan had been honoured with. This was the true cause of the factious virulence with which he opposed every subsequent government. An odd compound of eloquence, vanity, cleverness, inconsistency, and discomfiture, he stands unmatched in the history of his country, and deserves special censure, as the ablest mischief-maker of his time, who seldom did any thing well, and was generally on the watch to mar the good done by others.

country. They rendered him not only a bad politician, but even a bad party man; and they deprived him of every claim to the rank of a sound, consistent, or a successful statesman. His career may be not insignificantly described by an Irish contradiction—it was a clever failure. He had acquired distinction before Grattan became known. He led the Irish Commons when its greatest ornament first entered the house; and he might have continued equally great with him had he been equally pure and unselfish. But there was a single-heartedness, a serenity, a disinterestedness, and moral dignity in Grattan's nature of which Flood was wholly destitute. Grattan's soul was always in his cause, and by its greatness he grew great himself. Flood was always placing himself before his cause, and studying to make it appear that it was he gave greatness to the cause, and not the cause that conferred greatness on him. From the time at which Grattan displayed the fulness of his powers, Flood spent the remainder of his life in a vain endeavour to outshine the dazzling splendour of the greater luminary. Devoured by this envy, and a restless passion for popularity—which, though sometimes snatched for an interval, was never retained for any length of time—he rushed blindly into error, and deluded the multitude with false lights. To him, more than any other contemporary, is the loss of parliamentary reform ascribable. Mortified vanity led him to resist the popular triumph, and to bespatter it with imputed defects. Failing in this unworthy effort he aroused all the power of his talent, and all the force of his passions, which were violent, to mislead the people for a series of years. The punishment which he afterwards suffered for his misconduct was heavy but not too severe. He was driven into retirement by the general sense of his unworthiness. Rejected by all parties, and severed from his former political friends, no patron or constituency was found to adopt him at the general election which took place in the year 1790: but though abandoned in every other respect, his vanity, proof against all the lessons of experience, survived to the last—adding to the painful solitude of his retreat by instigating him to try and

persuade his few remaining associates that his country had been ungrateful, and that he was an injured patriot!

The form in which Mr. Flood interrupted the general satisfaction and diverted the progress of reform, was more plausible than ingenious. Mr. Grattan and his friends had been content to secure the independence of the Irish parliament by repealing Poynings' law and the subsequent act, 6 Geo. I. c. 5, increasing the stringency of its enactments. Mr. Flood insisted not only that the acts which had so long controlled the Irish legislature should be repealed, but that England should also make an express renunciation of the existence of any right upon her part to bind Ireland by laws not made in the Irish parliament.* Defeated in the House of Commons, Flood carried his proposition to the meetings of the volunteers, where his eloquent appeals to the national pride were hailed with cordial enthusiasm. The public mind was quickly driven into wild extremes under the lash of so potent a leader. The volunteers proposed to establish a national convention, and Grattan, so late the idol of popular admiration, suddenly became the object of popular abuse. The subsequent decline of the celebrated volunteers, and the history of the events to which their dissensions and excited proceedings gave rise, contain several passages of deep personal interest, and suggest not a few grave lessons of political instruction. But a particular account of them is not exactly suited to this outline. Mr. Flood's plan of parliamentary reform is the only incident of the period

* The question in dispute between Mr. Flood and Mr. Grattan, must always retain no common interest, in consequence of the extraordinary talent displayed by both orators in the several debates which now took place in the Irish Commons. But how little there was to fight for will appear by referring to the repealed statute of Geo. I. That law enacted, —first, that the kingdom of Ireland was of right subordinate to and dependant upon the imperial crown of Great Britain, as being inseparably united and annexed to it; secondly, that the British parliament had of right full power to make laws to bind the people and kingdom of Ireland; and thirdly, that the Irish House of Lords possessed no appellate jurisdiction. This act, as well as Poynings', having been repealed bodily and unreservedly, it seems the height of intemperance to assert that Ireland was left where she was, inasmuch as no declaratory act had passed, renouncing in words the right which had already been resigned in point of fact.

which it will be possible to advert to, and even of that it will be almost enough to mention that it was proposed and rejected. Its merits and its adaptation to the circumstances of the country may be judged of by the fact that it neither admitted the Roman Catholics to vote as electors, nor to sit as members of parliament. As a mark of the spirit in which it was brought forward, it will be enough to repeat the exhortation of its author to his supporters: "Let 50,000 armed men, followed by 50,000 more, follow up this principle!"*

* The earl of Clare, a hostile witness, gave this minute description of the proceedings in the Volunteer Convention, upon the subject of Parliamentary Reform:—"Accordingly, in the year 1783, a military convention did meet in this city, decked in all the forms of a parliament. They had their speaker, their committees; a bill for the reform of the House of Commons was brought in, read, debated, read a second time, committed, reported, and ordered to be engrossed, read a third time, passed, and sent by two of their number, who happened to have seats in the other house, to be registered by parliament. It was declared at this time by the minister of that day, now a leader of the opposition, (Mr. Fox,) as his opinion, to my Lord Northington, that the existence of Ireland as a member of the British empire depended upon his dispersing that armed convention. Parliament, however, vindicated its honour; the bill thus brought in upon the point of the bayonet was, indeed, offered to the House of Commons, but that house treated the act of contumacious folly with the contempt it deserved. It was driven from their house, and its authors, ashamed of the act of folly they had committed, quietly slunk back to their different counties."—*Speech in the Irish House of Lords, February* 19, 1798.

Two other writers, both friends of liberty, and well acquainted with the circumstances, have given narratives of these proceedings:—

"The Belfast review," says Plowden, (vol. ii. p. 233,) "was approaching, and those who were dissatisfied, determined then to make their stand. The 31st of July exhibited a volunteer encampment of nearly 3,000 men, and a volunteer garrison of upwards of 1,000, all completely clothed, armed, and accoutred. Anonymous papers were dispersed in thousands through the camp and garrison. Every private was taught that he was competent to legislate, and consequently to express his sentiments on the most speculative points. Declaration, renunciation, simple repeal, legal security, better security, a bill of rights, were all before them, and they were to instruct their delegates on these important points."

Lord Charlemont, it will be remembered, was the head, though not the hero, of this agitation. According to Mr. Hardy, in his life of that nobleman, —"A singular scene was soon displayed, and yet such a scene as any one who considered the almost unvarying disposition of an assembly of that nature, and the particular object for which it was convened, might justly have expected. From every quarter, and from every speculatist, great clerks, or no clerks at all, was poured in such a multiplicity of plans of reform, some of them ingenious, some which bespoke an exercised and rational mind; but, in general, as I have been well assured, so utterly

Disagreements amongst the reformers having thus arrested the progress of reform, the union of the legislatures of the two countries became an inevitable consummation; and the course of events, by developing the anomalies of the existing system with inconvenient force, brought on the change with unexpected rapidity. The more prominent causes of this result were three in number—the commercial propositions mooted in 1784, the question of the regency in 1789, and the rebellion of 1798.

The unfortunate coalition ministry of Mr. Fox and Lord North having been dissolved, Mr. Pitt made the duke of Rutland Lord Northington's successor in the office of lord lieutenant, Feb. 27, 1784. This nobleman was of all others the person most fit to resume the work of debauching the gentry, and scattering the few relics of patriotism that lingered amongst the leaders of the people. Frank and generous in his manners and disposition; wealthy, extravagant, and devoted to pleasure; he pleased the Irish by his open gaiety and careless conviviality, and carried the upper classes along with him in a torrent of courtly dissipation. There are no

impracticable, 'so rugged and so wild in their attire,' they looked not like 'the offspring of inhabitants of the earth, and yet were on it,' that language would sink in portraying this motley band of incongruous fancies, valuable only if inefficient, or execrable if efficacious. All this daily issued from presumptuous empirics, or the vainly busy minds of some political philanthropists, whom the good breeding alone of their countrymen permitted to be regarded as not totally out of their senses. The committee showed a perseverance almost marvellous, but the murky conceits and solemn vanities of such pretenders, would have put even the patience of the man of Uz to flight. At last, after being for several days bewildered in this palpable obscure of politics, and more and more theories flitting round the heads of the unfortunate committee, that which must for ever take place on such occasions, took place here. A dictator was appointed, not indeed in name but in substance. The bishop of Derry moved that Mr. Henry Flood, who had not been one of the committee, should be nominated as an assessor or joint member. And here was displayed the potency of oratorical talents on such a body of men, and the justice of Lord Bolingbroke's remark, that the House of Commons, or in short any assembly partaking of the nature of the House of Commons, is like a pack of hounds. They will always follow the man who shows them the most game. So rapid and decisive was the superiority that Flood obtained, that without his concurrence nothing was approved of. The bishop now, as has often been experienced, found himself undone by his auxiliary."

scenes described in the annals of licentiousness which surpass the recorded profligacy of the Rutland viceroyalty in Ireland. By a natural parity of debasement there are no instances of official peculation more infamous than those which were committed under the cover of his misplaced authority. The enormous extent to which official plunder was carried under the duke of Rutland's administration, was fully revealed when his successor, the marquis of Buckingham, was compelled to scrutinise the accounts of the numerous defaulters. Plowden describes the scenes which now took place in striking terms. "A panic spread through the offices—some fled the country, one cut his throat, and many were disgraced. The profligacy of official profusion was incredible: peculation reigned in every department where public money was handled, or public property disposable: the public accounts were wound up yearly with formidable balances in the hands of collectors, treasurers, and paymasters, or arrears due by former great officers who had received their employments without security, or had been discarded for misconduct, or were dead, or had fled, or had become bankrupt. In the ordnance and the treasury the grossest frauds pervaded almost every department. The public stores were plundered with impunity in open day. Arms, ammunition, and military accoutrements condemned as useless, were stolen out at one gate and bought in at the other, and charged anew to the public account. Journeymen armourers who worked in the arsenal seldom went to dinner without conveying away a musket, a sword, or a brace of pistols as lawful perquisites, sanctioned by the connivance of their superiors. Clerks with salaries of £100 a year, kept handsome houses in town and country, with splendid establishments; some of them became purchasers of loans and lotteries; all exhibited signs of redundant opulence."—Such was the government of the duke of Rutland,—such the abuses which the marquis of Buckingham attempted to extirpate; but ere long, finding the system necessary to the English government, he fell into its worst practices, and ultimately left the country even more corrupt than he found it.

While the government and the oligarchy, equally demoralised and arbitrary, were goading an oppressed tenantry to discontent, conspiracies, and insurrection, the few materials for improving the circumstances of the country which had lately been offered by the prospect of commercial freedom, were unfortunately destroyed by the jealousy of the English people, and the want of firmness and sincerity upon the part of the English prime minister. Mr. Orde, afterwards Lord Bolton, was now the Irish secretary. Mr. Flood's defective propositions for parliamentary reform had been rejected; the popular dissatisfaction was loud and vehement; the volunteers though disunited and bereft of their original fame and strength, were still a numerous body and in arms; the public press teemed with articles of indignant abuse and menacing violence; and everywhere throughout the country, the lower orders and the military were exasperated against each other.

A description of one amongst the various aggregate meetings which were now held, will answer for all. A petition or remonstrance to the king against the parliament and the whole government of Ireland, was prepared on the part of the freemen, freeholders, and inhabitants of the city of Dublin. This document was voted by acclamation as an example and incentive to all other constituencies, and the different counties of the kingdom. At this meeting the sheriff presided, and different corps of volunteers attended in arms. The flame thus kindled extended rapidly; dreams of a separate state of freedom, and independence of England were warmly cherished. The public excitement in the latter country, unsettled and distracted by the recent establishment of the United States of America; and in Ireland the conviction spreading every day that the people possessed all the elements and but few of the enjoyments of a great nation — these various causes poured their combined influence upon a troubled sea of politics, and raised a storm that shook the state to its centre. But the political party now in the ascendant, were furnished with all the resources derived from considerable experience in the arts of misgovernment, and were equally skilled in the

use of corruption and severity. Both of these were put into requisition with an active and determined spirit which tolerated no scruples, resistance, evasion, or delays. While the court seduced the wavering and the infirm, and places and pensions bribed the venal and the insincere, the public prosecutor dealt summarily with the rough remainder. The high sheriff of Dublin was sentenced to a fine and imprisonment; but upon acknowledging his error and making a public apology in the Court of King's Bench, his fine was reduced, and his person soon after liberated. The divided opinions of the volunteers upon the Roman Catholic question, were at this critical moment made an apt instrument of further confusion. Lord Charlemont declared his immoveable dissent from any such concession; and warned his followers that its success would be fatal to all their particular objects. A considerable section of the volunteers ranged themselves on his side, and the corporation of Dublin, then a leading organ of liberal politics, voted an address of thanks to his lordship on the occasion. Meantime criminal prosecutions were carried on against other sheriffs and magistrates, and against the printers and publishers of several newspapers. The volunteers powerful though divided, renewed their efforts to overawe the government. But they had demonstrated their hostility to the religion professed by the bulk of the people. Upon their roll of national wrongs to be redressed, those so unjustly inflicted upon the Catholics were omitted. Professing to rival the famous convention of Dungannon, they convened a national congress at Dublin; and soon found that the present movement wanted that peculiar sanction and cementing strength which can only be supplied by the common consent and sympathy of the masses. Delegates representing twenty-seven counties, were sent to this assembly. Although the sheriffs did not dare to convene it, it was held; and there were kindred gatherings, all more or less turbulent, in many other places. It was suspected at the time, and is not at present doubted, that many of these bold demonstrations were suggested, if not provided by persons who were enemies

to the cause itself. The disappointed placeman and the confirmed corruptionist combined heart and hand to push on proceedings fatal to the proposed issue, and formidable to the prudent, to the enlightened, and to all those who were anxious to serve their country by firm but moderate, and above all, by honest courses, and with uncontaminated associates. These were unequivocal symptoms of the fast-approaching dissolution of the once irresistible and still celebrated volunteers. Unanimity, concentration, and the agreement of a whole people were no longer represented in their ranks. They ceased to be dreaded by their foes; they passed vain resolutions, voted a tame address to the king, adjourned, and disappearing by degrees, died away so imperceptibly, that it is difficult to state the precise period at which they positively expired.

The career of the volunteers is thus conspicuously marked in its several stages and consequences. Enlightened and directed by the genius of Grattan, this body carried the independence of the Irish parliament. Throwing off the reins of his wisdom they lost the opportunity of reforming the parliament itself, and giving a wholesome and efficient direction to its proceedings. Repudiating the crying claims of their suffering fellow-countrymen, the Roman Catholics, they ranked no longer as the representatives of an oppressed nation, but degenerated to be the partisans of sectarian persecution. In this manner they had ceased to retain the influence of a great body when the last question consequent upon the revolution of 1782 came on for adjustment—the question, namely, of the commercial intercourse between the two countries. This was embraced in a series of resolutions, originally eleven in number, which were introduced by the secretary, Mr. Orde, into the Irish House of Commons. They passed the parliament of Ireland, opposed by Flood, but ably and warmly supported by Grattan, who said of them, "They have a threefold principle; the first is, after defraying the charge of the nation, to contribute to the general expenditure of the empire. The second is, that by making the surplus not applicable to the general expense, until all charges are paid, it interests both the British

and the Irish ministers in Irish economy. The third is to subject that surplus to the controul of the Irish parliament. This puts an end to debt, and decides the great question of 1753 respecting the appropriation of the surplus revenue. It makes the British ministry a guarantee for the integrity of the House, and the economy of Irish administrations.

Particular details of these propositions are no longer interesting; but as they were intricate and perplexing, as they excited long discussions and angry feelings in both countries, and as they engrossed for a period the serious attention of the English and Irish legislatures, some general account of them is required. An unfavourable harvest in the year 1783, had been followed by severe sufferings amongst the agricultural classes in Ireland. To their complaints the cry of commercial distress was soon added. Every description of manufacture was declared to be in a state of extreme poverty and depression; the interference of parliament alone it was insisted could remove or alleviate these evils, and no form of relief, it was further concluded, could be lasting or enriching which did not proceed upon the basis of favouring native produce by heavy protecting duties.

While doctrines of this kind were generally promulgated, and were daily acquiring a firmer hold of the public mind, the subject was taken up by Mr. Foster, who afterwards became speaker of the House of Commons. That gentleman having first placed himself in communication with several considerable merchants, and with Mr. Secretary Orde, arranged a plan which was deemed by them consistent with sound principles, and well suited to the interests of both countries. With this he repaired to London and obtained for it the approval of Mr. Pitt. It was agreed that the eleven propositions should be introduced and carried through the parliaments of both countries by the authority of the government. Two of these propositions were of much higher value than the others. The one gave Ireland power to import goods into England from the colonies and other countries at her own rates of duty. The other, by way of returning this advantage, assigned the

surplus of the hereditary revenue of Ireland—which was an increasing income derived from customs, excise, and hearth duty—as a grant for ever towards the maintenance of the navy of the empire at large. A proper understanding having been come to, and the principle and details having been adopted by the government, and voted by the Irish parliament, new taxes to the amount of £140,000 were imposed in order that there might be a clear surplus of Irish revenue when the proposed arrangement came to take effect.

The spirit in which Mr. Pitt laid these propositions before the English House of Commons was excellent. A quotation has already been taken from the speech in which he opened the subject; other addresses made by him in the earlier stages of the discussion were equally distinguished by the force of truthful statements and enlightened views. But he was soon driven to alter his tone and to modify his measures. There had been a strong resistance offered to the propositions in Ireland, where it was maintained that the freedom of parliament and the right of independent legislation would be trenched upon by a compact, which handed over the revenue of Ireland to England and deprived the representatives of the people of all right to deal with or controul it for the future. But the opposition of the Irish, complaining of a theoretical or constructive injury to be done to their constitution, was feeble and uninfluential when compared with the fierceness with which the English rushed forward in large numbers to prevent a practical and direct invasion of their commercial and manufacturing privileges. The mercantile body every where took the alarm; they declared that the whole commerce of the empire would be diverted to Ireland if these propositions should be passed into a law. From every port and emporium of trade; from Liverpool, Bristol, Birmingham, Glasgow, and sixty provincial towns, deputations were despatched to remonstrate against the Irish commercial propositions, and to compel the minister to abandon them. Most unfortunately for Ireland, Mr. Fox, the patron of its independence, identified himself with the cause of the discontented merchants, and was induced to declare that he would

debate every resolution, and divide the house upon each, as the measure went completely to the destruction of the commerce, manufacture, revenue, and maritime strength of England. The propositions, according to his view of them, went to appoint Ireland sole guardian of the laws of navigation, and arbitress of all the commercial interests of the realm.

Aroused by these threats, and by the acclamations with which they were hailed out of doors, Mr. Pitt recast the whole scheme, and, by introducing various amendments, expanded Mr. Orde's eleven propositions into twenty,* which ultimately passed the English parliament, and were referred in due course to the legislature of the sister country. There they were no sooner produced than the whole island rose to denounce them. The outcry poured forth against them was universal, and it included the most stirring incentives to resistance. The legislative authority of Ireland was directly attacked; national faith was broken, and the country cheated out of £140,000 a year in new taxes, which had been imposed

* These in their main effects were:—1. That whatever navigation laws the British parliament should thereafter enact for preservation of her marine, the same should be passed by the legislature of Ireland. 2. That the importation into Ireland, and from thence into Great Britain of West India produce, should be confined to the produce of our own West India colonies. 3. That Ireland should not interfere with the chartered rights of the East India Company, by trading with any countries beyond the Cape of Good Hope. The earl of Clare's version of the history of this question was marked by all that uncompromising plainness and strong contempt so characteristic of the man. "It was discovered," he said—(*speech in answer to the earl of Moira, Feb.* 19, 1798)—"that British manufactures, by their superior quality and cheapness, obtained a preference in our markets; and instead of setting about to rival them in quality or cheapness, or at all considering that the balance of trade between this country and Great Britain was infinitely in our favour, it was immediately resolved to commence a war of prohibitory duties against England, although it was proved decisively that we had not wool enough in this kingdom to clothe one-half of its inhabitants. To conciliate and quiet these clamours, Great Britain, in 1785, offered a fair and liberal commercial treaty to this country, by which she admitted us to her markets; and shared her immense capital with us, and opened her colonies to our trade, on condition that we should follow England in the laws which she had made for the regulation of those colonies and that trade of which we were to participate. This, however, was represented as a new attack upon Irish independence; and so great was the outcry raised against it, that the parliament of Ireland, in their wisdom, thought fit to reject the treaty, and, duped by the silliest deception that ever was put upon any set of men, omitted an opportunity of consolidating the interests of the empire."

in a spirit of credulous confidence in the honour of England and the consistency of her prime minister! The agitation of these topics produced an effect so powerful as to give the minister, when he put the question for a final settlement of the dispute, a majority of only nineteen votes in a house of 239 members. So small an advantage was quickly pronounced tantamount to a national victory. And such ere long was shown to be the opinion of the government; for although the bill was ordered to be printed as it had been proposed—by way of ministerial justification, notice was given, in the course of a few days, that no further motion would be made respecting it during the session. The public delight was unbounded at this defeat of the English commercial interest; Dublin was illuminated to celebrate the event; and resolutions against the use of English manufactures were passed with acclamation at numerous public meetings held throughout the country.

For all this exultation there was but little substantial foundation. The merchants of England had acted unreasonably, and her ministers unfairly; still the wide sources of Irish misery and discontent were left open and unchecked. Ireland greatly wanted, and had now lost, the advantages of a commercial arrangement with the sister country; she had saddled herself with additional taxes to the amount of £140,000, in the vain hope of extending her trade, and no other available result appeared to arise from the dissensions which had been so generally provoked, than the growing conviction expressed by the English manufacturers, and echoed by Mr. Fox and Mr. Wilberforce in the English Commons, that there was no way of removing the difficulties by which the question was surrounded, but by a union of the legislatures of the two countries.

Another incident of more touching interest, though of less importance, soon occurred to confirm the impression thus created. The profligate vice-royalty of the duke of Rutland had terminated, and his successor, the Earl Temple, soon after created marquis of Buckingham, had grown weary of the praiseworthy but unavailing attempt already described, to cleanse the Augean stable of official peculation in Ireland,

when mental disease first attacked George III., and the question of appointing a Regent became matter of parliamentary discussion in England and in Ireland. Upon this occasion the decisions of the two legislatures were repugnant. While the English parliament, at the instance of Mr. Pitt, conferred the regency upon the Prince of Wales, restrained by numerous limitations and abridgments of power, the more generous Irish defeated the ministry by a large majority, and voted the prince, regent of the kingdom without restriction. The inconveniences threatened by these opposite proceedings were opportunely obviated by the recovery of the king, but the demonstration produced a deep impression upon the statesmen of England. Legislative contests, and not improbably a consequent separation of the two countries were now evidently matters which the daily current of events might evolve. The boroughmongers and placemen of Ireland, whom the ministers' bribe sufficed to hold in their seats upon occasions of ordinary baseness, were no longer, it was clear, to be depended upon, when the prospect of a new sovereign, or a more tempting patron, was offered to the impatient avidity of their insatiable corruption. Thus every thing that happened seemed to point to the union as an event not more necessary than inevitable.

As soon as the king recovered his health the regent's party was made to feel that they had incurred the vengeance of an implacable government. It was determined to make every man "the victim of his vote." There was a general ejection of the ministerial recusants from office, while new situations were devised and old ones split into parts, in order to increase the number of dependents upon the castle, and to satisfy the inordinate appetites of the new levy for infamous emolument. Under the old system the government had been farmed out in gross, and the head of it never troubled himself with details; but now corruption proceeded piecemeal; there was an open market, and established prices for boroughs, votes, peerages, and titles. Thirty-two members of parliament were purchased in this manner by the marquis of Buckingham, and the ministerial gain was made a subject of public ovation. Eight new peerages were created at

the same time; £13,000 a year was added to the pension list; and the nation further burdened with a perpetuity of £28,000 per annum. Amongst the new means resorted to for the purpose of supplying funds to meet the extended demands upon the pecuniary resources of the administration, particular notice is challenged by the sale of peerages. Three titles* at least, and in all probability a greater number, appear to have been disposed of for £3,000 each, which was put into a stock purse for buying seats in the House of Commons.†

* The Baronies of Kilmaine, Cloncurry, and Glentworth.

† Rather a full exposition of these disgraceful acts is furnished by Mr. H. Grattan, in the Life of his Father: acts which drew from that father the observation,—that in a free country the path of public treachery leads to the block,—but in a nation governed like a province, to the helm.

The dismissals were:—

The Earl of Shannon, Vice-treasurer.
The Duke of Leinster, Master of the Rolls.
W. Ponsonby, Postmaster-general.
G. Ponsonby, Counsel to the Commissioners.
Lodge Morris, Treasurer to the Post-office.
Charles Francis Sheridan, Secretary-at-war.
William Burton, Paymaster of Foreign Regiments.
John Staples, a pension and reversion of Examinator of Customs.
John Townsend, Barrack-master.
James Uniacke, Comptroller of Stamps.
H. Hatton, Comptroller of Youghal.
Colonel Pigott, Governor of Cork.
Dennis Bowes Daly, Ranger of the Curragh.
Edward King, Comptroller of the port of Dublin.
Sir Skeffington Smith, a pension.

The value of these offices amounted to nearly £20,000 a year.

The promotions were as follows:—

Fitzgibbon, appointed Lord Chancellor.
Wolfe, Attorney-general.
Toler, Solicitor-general.
Boyd, First Counsel to the Commissioners.
Edward Cooke, Secretary-at-war.
Corry, Commissioner of Revenue.
Pakenham, Surveyor of Ordnance.
S. Moore, Treasurer to the Post-office.
Molyneux, Comptroller of Stamp Duties.
Beresford, Pursebearer to the Lord Chancellor.
D. Trant, Advocate to the Admiralty.
C. H. Coote, John Reilly, and Richard Neville, Commissioners of Imprest Accounts.
S. Hayes, R. Holmes, R. T. Herbert, and Edward Fitzgerald, Commissioners of Stamps.
Lord Bellamont, and Lord Loftus, Joint Postmasters-general.
R. Johnston, Third Serjeant-at-law.

It was in the midst of these practices—when the very ideas of probity, independence, and the example of public virtue seemed to have been swept away, that Grattan uncontaminated and undismayed by the torrent of abominations everywhere inundating the institutions of his country, rallied his great energies, and renewed his splendid exertions to uphold the tottering fabric of the constitution, and reanimate the expiring vitality of Irish patriotism. It is impossible to contemplate without feelings of the highest admiration, the genius that devoted itself anew to such an undertaking, or to feel surprise that the effort was but partially successful. The resentment of the ejected placemen gave him a temporary strength, which promised while it lasted, some decisive results. But the thunder of indignant eloquence destroys only the open foe; while the secret electricity of ministerial corruption undermines and subverts the strongest foundations of the social system. The nature of the opposition offered to Mr. Grattan and his friends, may be gathered from a single anecdote. "I recollect," said the attorney-general, Mr. Fitzgibbon, in one of the debates of this period, "Lord Townshend proroguing the parliament, and the house voting an address of thanks to him. It cost the nation half a million of money to procure the majority. I shall, therefore, oppose these amendments, which might lead to an address which would cost half a million more." History loses all interest as

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The following were the promotions that took place in the peerage:—
The Earl of Antrim, created Marquis of Antrim.
The Earl of Tyrone, created Marquis of Waterford.
The Earl of Hillsborough, created Marquis of Downshire.
The Viscount Glerawley, created Earl of Annesley.
The Viscount Enniskillen, created Earl of Enniskillen.
The Viscount Erne, created Earl of Erne.
The Viscount Carysfort, created Earl of Carysfort.
Lord Earlsfort, created Viscount Clonmel.
Lord Loftus, created Viscount Loftus.
Mr. Fitzgibbon, created Baron Fitzgibbon.
Mr. Stewart, created Baron Londonderry.
Sir John Browne, created Baron Kilmaine.
Sir Nicholas Lawless, created Baron Cloncurry.
Mr. L. Gardiner, created Baron Mountjoy.
William Cecil Pery, created Baron Glentworth.
Mr. Alexander, created Baron Caledon.

well as dignity, when ministers of state make such unblushing avowals of pollution as this. Grattan gave vent to the feeling of astonishment and indignation excited by it, in strains characteristic of his oratory, but as unavailing as were all his other efforts in the midst of the general debasement.

These were the words, matchless for their force, truthfulness, and fire, in which he described and denounced the marquis of Buckingham's administration :—

" Such has been the conduct of your reformer. This was the man! you remember his entry into the capital, trampling upon the hearse of the duke of Rutland, and seated on a triumphal car, drawn by public credulity;—on one side fallacious hope—on the other many-mouthed profession,—a figure with two faces, one turned to the treasury, and the other presented to the people, and with a double tongue speaking contradictory language. The minister alights: justice looks up to him with empty hopes, and peculation faints with idle alarms. He finds the city a prey to an unconstitutional police—he contemns it; he finds the country overburthened with a shameful pension list—he increases it; he finds the House of Commons swarming with placemen—he multiplies them; he finds the salary of the secretary increased to prevent a pension—he grants him a pension; he finds the kingdom drained by absentee employments, and by compensations to bring them home—he gives the best reversion in the country to an absentee, his brother! He finds that the government had, at different times, disgraced itself by creating sinecures, to gratify corrupt affection—he makes two commissioners of the rolls, and gives one of them to another brother; he finds the second counsel to the commissioners put down as useless—he revives it; he finds the boards of accounts and stamps annexed by public compact—he divides them; he finds three resolutions, declaring that seven commissioners are sufficient —he makes nine; he finds the country has suffered by peculations in the ordnance—he increases the salaries of the officers, and gives the places to members—to members of parliament."

The attorney-general's threat of spending half a million in the purchase of a new majority, was thus exposed :—

" It is in vain to equivocate; the words were uttered: the minister may have forgotten, but the people remember them, and several of us were witnesses to them; nor was it merely the minister's expression,—it was his sentiment,—it was his measure. The threat was put into the fullest execution; the canvass of the ministry was everywhere,—in the House of Commons, in the lobby, in the street, at the door of the parlia-

mentary undertakers, rapped at and worn by the little caitiffs of government, who offered amnesty to some, honours to others, and corruption to all; and where the word of the viceroy was doubted they offered their own. Accordingly we find a number of parliamentary provisions were created, and divers peerages sold, with such effect, that the same parliament who had voted the chief governor a criminal, did immediately after give that very governor implicit support; and the subsequent parliament did, under the same influence—on the Catholic question—on the pension question—on the place question—vote and unvote, and turn, and change, according to the orders of government, with a versatility that made an indignant public cry shame upon them! This policy was an attack on the moral as well as on the constitutional system, and guaranteed political slavery by moral prostitution; proposing that the gentlemen of parliament should be systematically robbers, in order that the people should be systematically slaves: it was a condition on which no freedom, no government, no religion, no connection, no throne, could long rest."

Upon the sale of peerages he spoke with powers still more splendid:—

"If gentlemen are unwilling to risk their reputation, by instituting an inquiry upon the ground of common fame, I will state to them what they will consider sufficient ground for this inquiry—a member of this house standing up and asserting that peerages have been sold. This, Mr. Speaker, the gentlemen opposite will acknowledge to be ground for inquiry. Sir, I am that man. I say I have good reason to believe that peerages have been sold for money;—nay, more—I have proof. Go into a committee; and if I do not establish my charge, degrade me,—let me no longer enjoy the character of an honest man: I dare the administration to it. I risk my reputation on establishing the fact.

* * * * * *

"We charge them publicly, in the face of the country, with making corrupt agreements for the sale of peerages; for doing which, we say, that they are impeachable. We charge them with corrupt agreements for the disposal of the money arising from the sale, to purchase, for the servants of the castle, seats in the assembly of the people; for doing which, we say that they are impeachable. We charge them with committing these offences, not in one, nor in two, but in many instances: for which complication of offences we say that they are impeachable—guilty of a systematic endeavour to undermine the constitution, in violation of the laws of the land. We pledge ourselves to convict them; we dare them to go into an inquiry; we do not affect to treat them as other than public malefactors; we speak to them in a style of most mortifying and humiliating defiance. We pronounce them to be public criminals. Will they dare deny the charge? I call upon, and dare the ostensible member to

rise in his place, and say, on his honour, that he does not believe that such corrupt agreements have taken place. I wait for a specific answer.

* * * * * *

"You may cast a veil over families: but honour that sacred gem you have cast to the dust. I ask you, is there any man you would disgrace by attempting to give him title, except such a man as would exalt you by the acceptance? The Irish ministry have attempted to strike off honour and authority. Such a minister goes before the leveller like sin preceding the shadow of death, shedding her poison, and distilling her influence, and preparing the nectar she touches for mortality. I do not say that such a minister with his own hand strips the foliage of the tree of nobility; no,—he is the early blight, that comes to the island to wither your honour in the first blast of popular breath, and so to scatter it, that at last the whole leafage of nobility may descend. He does not purpose to blow up the houses of parliament; he only endeavours to corrupt the institutions, and he only undermines the moral props of opinion and authority; he only endeavours to taint the nobility,—he *sells the Lords, and buys the Commons.* The tree of nobility!—that it may flourish for ever, and withstand the blight of ministers and the blast of popular fury;—that it may remain on its own hill, rejoicing and laughing to scorn that enemy, which, in the person of the minister of the crown, has gone against the nobles of the land! This is my earnest prayer! That these nobles may survive;—survive to give counsel to these very ministers, and perhaps to pronounce judgment upon them! But if ever the axe should go into the forest,—if on the track of the merchantman in the shape of the minister, the political woodman, in the shape of the leveller, should follow,—if the sale of peerages, as exercised by the present ministry, becoming the ordinary resource of government, should provoke a kindred spirit, and give birth to a race of men as unprincipled and desperate in one extreme as they are in the other: we shall then feel it our duty to resist such an effort; and as we now resist the minister's attempts to dishonour, so shall we then resist the consequences of his crimes—projects to extinguish the nobility."

Such was Grattan's oratory—let us glance at his measures. Those for the year 1789, which he either originated himself, or advocated when mooted by others, were a short money bill, carried against the government by 105 to 85; a bill to reform the police, long a convenient medium of gross and defiling patronage; a bill to limit the amount of pensions and to disable pensioners, during pleasure, from sitting in parliament, and with them the holders of profitable places under the crown, created within a certain time; and a bill to disable revenue

officers from voting at elections. To these was added a resc lution condemnatory of the practice of granting to absen tees all the high and profitable offices and reversions to offic in the kingdom.* The promptitude, the energy, and th skill with which Grattan acted at this period were conspi cuous. It is true that the measures proposed by him and hi friends were in themselves of secondary importance. They in dicated the direction of his spirit, not the extent of his con victions, and were palliatives, not remedies, for the distresse of his country. It is also true that his success was slight, bu it was not the less wonderful under all the circumstances o the times. In every instance, the principles for which h contended were afterwards affirmed by different enactments and within a short period. The Absentee Bill, the Place Bill and the Pension Bill were rejected in 1792, and carried i 1793. That interval, and the alterations introduced into them sufficed to impair their efficacy, and diminish the small re mains of public confidence in the progress of useful reform that lingered in the country. Upon another, and with him a favourite subject of motion, tithes, Grattan displayed, at thi juncture, all the vigour of his ardent powers, an enlarge philosophy, and the fullness of accomplished charity. In thes he anticipated the wisdom and the humanity of the age, ren dering the speeches in which he propounded them imperishabl monuments of his genius, and the worthlessness of the cotem poraries by whom they were so little regarded.

The situation of Ireland was now more critical than ever There had grown up a wealthy and enlightened class. Limite as had been the field laid open to industry and enterprise much had been acquired, and a feeling prevailed that th country possessed resources and the power for acquiring stil more. Unfortunately for both divisions of the empire, th

* The number and value of the absentee sinecures, and the manner i which they were made the property of particular families, may be roughl estimated by an example or two. The offices of Prothonotaries, Clerk the Crown, Keeper and Filacer of the King's Bench, were held by Lor Henry and Lord Robert Seymour Conway, while the Chief Remem brancership of the Court of Exchequer was held by the Wellesley famil —the whole producing about £50,000 a year.

local heads of the government in Dublin had determined to disgust the Irish with their independent parliament. While difficulties and dangers were daily augmenting in number and sharpness, but one object seemed to be kept steadily in view by them—the old degrading object of prostrating every thing Irish to the arbitrary rule of the ill-qualified strangers who executed the pleasure of the English ministry. The volunteers had dwindled into insignificance, but the government continued so pregnant with abuses, and so deaf to the public clamour, that a common impulse towards some new and more effective association for the redress of grievances became general.

The newly formed republic across the Atlantic—torn by principle and valour from the dominion of England—was composing her institutions amidst the admiration of the civilized world; the French Revolution was proceeding with rapid strides, and apparently opening to the sanguine hopes and warm hearts of all liberal-minded men the dawn of a free and happy era, soon lost amidst the horrors of universal destruction; and Irishmen from every school of reform, and all the varying shades of political discontent, were anxiously pressing forward to mark their sense of Irish grievances, and to apply each his panacea to the national disease. The Whigs led the way in this series of popular movements. Following the example of their party in England, they had instituted, in the year 1789, and at the instance of Lord Charlemont, the Whig Club, composed of the most distinguished men in the country. This was essentially an aristocratic and exclusive body, representing, in an eminent and imposing degree, the rank, property, and talent of the liberal politicians in their own class of society. The members addressed themselves with an accomplished power, worthy of their station and their fame, to prepare their fellow-countrymen for the arduous contest now fast approaching.* But they sought to lead, while the spirit of

* The public declaration of the Whig Club furnished an eloquent exposition of the opinions of its own members on the political condition and requirements of the country:—

"Resolved, that the great object of this society is the constitution of

the era demanded cordial unanimity and equal co-operation between all orders of the oppressed, and from every advocate of

the realm, as settled by the Revolution in Great Britain and Ireland in 1688, and re-established in Ireland 1782.

"That we will support and maintain, as a principal object and fundamental part of the constitution, the 'sacred rights of the people;' and above all, that great indispensable right of the subjects of this realm to be free from, and independent on, the authority of any parliament or legislature whatsoever, save only the parliament of Ireland; that is to say, the king of Ireland and the lords and commons of this realm.

"We therefore protest against and abjure, as illegal and criminal, a doctrine, which, on a late occasion, has been advanced, 'that the parliament of another country had, in the appointment of a regent over this realm, a legislative authority.'

"We declare that the parliament of Ireland, that is to say, 'the king of Ireland, and the lords and commons thereof,' are the only legislature of this realm.

"And we further declare, that as far as in us lies, we will endeavour to preserve to this country, in all times to come, a parliament of her own, residing within this realm, and exclusively invested with all parliamentary privileges and powers.

"That we will for ever support and maintain the constitutional rights and dignity of the imperial crown of Ireland; and we do abjure, as illegal and criminal, a doctrine lately advanced, 'that his majesty legislates in Ireland as king of Great Britain;' inasmuch as said doctrine is not founded on our laws, militates against our constitution, affects to depose the king of Ireland, and tends to dissolve the principles of our allegiance and our liberty.

"The best and surest method of preserving the constitutional rights of the crown, is to preserve and transmit the same in succession in the house of Brunswick.

"That we shall ever adhere to the principles which directed the lords and commons of Ireland, when, on a late melancholy occasion, they addressed his royal highness the Prince of Wales to take on himself, during his royal father's indisposition, the administration of affairs, free from occasional and unconstitutional restrictions; such restrictions being more calculated to answer the views of ambition than to preserve liberty, or to promote the solid interests of the empire.

"That we shall ever maintain and vindicate the principle and justice which actuated our parliament, when, on behalf of the people of this realm, they did impose a public and merited censure on his excellency the marquis of Buckingham, for his ill-advised, unwarranted, and unconstitutional conduct.

"That we will ever maintain, as sacred and indissoluble, our connection with Great Britain, being in our opinion indispensably necessary for the freedom of this kingdom in particular, and for the freedom, strength and prosperity of the empire in general.

"We have set forth the principles and objects of the Whig Club; and we have formed this society, because we apprehend some of those objects are in danger.

"The rights of the people of Ireland have been publicly and ministerially questioned by the present chief governor.

reform. The different sections omitted in the composition of the Whig Club proceeded, ere long, to resolve themselves into separate communities. In the summer of the year 1791, the

" A right in the parliament of another kingdom to make laws for this kingdom, in the case of a regency, has been by the ministers of the crown in Ireland advanced and defended.

" The competency of the two houses of the Irish parliament, on a late occasion, has been denied.

" The legislative capacity of the king of Ireland has been denied, and the great seal of another country held up as a substitute for the imperial crown of this realm.

" The undue influence of the crown over both houses of parliament has been of late beyond all example increased.

" A pension bill has been rejected by the influence of the present ministers of Ireland.

" A place bill has been rejected by the same influence.

" A bill for the better securing the freedom of election, by disqualifying revenue officers from voting for members to serve in parliament, has been rejected by the same influence.

" The present extravagant, ineffectual, and unconstitutional police of the city of Dublin, has been continued and patronized by the same influence. All proceedings in parliament to remove the grievance or censure the abuse, have been defeated by the same influence.

" The expediency of combating by corruption a constitutional majority in parliament, has been publicly avowed, and the principle so avowed, ha been in part carried into execution.

" Honours, as we apprehend, have been sold, and the money deposited for the purpose of purchasing seats in the Commons, for the dependants of administration, in order to procure for the minister a majority in parliament. For the same corrupt purpose, useless offices have been created or revived.

" Boards for the same unconstitutional and venal purpose have been divided; sinecure offices split to multiply the number of commissioners, for no other purpose than to increase the influence of the minister, and gratify the individual.

" For the same venal purpose, and with as little colour or pretence, salaries have been augmented, to increase the parliamentary influence of the minister at the expence of the nation.

" A plan of intimidation has aided and abetted the views of corruption; and members of parliament have, by the minister, been expressly threatened with being made " the victims of their votes," or have been displaced, for no reason or pretence whatever, except their constitutional conduct in parliament.

" That we apprehend these proceedings and principles avow a design to govern this country unconstitutionally, and must, if successful, render the minister absolute in the parliament of Ireland, by corruption.

" That this danger is the more to be apprehended, because there is no fixed or adequate responsibility in the situations of the persons who direct the affairs of this country; and the minister of Ireland, however culpable, is but too likely to elude public justice.

" That to redress, as far as in us lies, these grievances, we have formed this society."

plan of the first Society of United Irishmen was published in Belfast. Within the same month, the Roman Catholics issued a declaration of the their tenets and claims. The United Irishmen of Dublin were formed in the following month of November. In 1792, the Catholic petition having been rejected in the House of Commons by an overwhelming majority of 208 votes to 23, the Catholics chose delegates from each district throughout the kingdom, who congregated in Dublin before the close of the year, and began to deliberate upon measures of relief with all the solemnity of parliamentary forms.* At this moment, a new military force, the Irish National Guard, was arrayed and disciplined in a green uniform, with the badge of an uncrowned harp; while the duke of Leinster and many moderate members of the opposition enrolled themselves into a new society, called the Friends of the Constitution, Liberty, and Peace; pledged to promote, by all lawful means, a radical and effectual reform in the representation of the people in parliament, including persons of all religious persuasions.

The different bodies thus formed, were animated and consolidated by the obstinate adherence of the government to established abuses, and the exhibition of new arts to increase the amount of the public burdens, and the extent of the public corruption. Notice has already been taken of the still expanding profligacy of ministers in 1790. The terms have been quoted, in which their conduct was denounced by Mr. Grattan. They had appointed two additional commissioners of revenue, and given additional salaries to four officers of the ordnance; they had created fourteen new parliamentary places, and granted eight or nine parliamentary pensions—all unnecessarily, and in the course of twelve months. These were acts, as the orator well observed, importing their own criminality, and bespeaking a ministry who had not only attempted to undermine the constitution, but who had actually broken the laws. The public odium so naturally excited by

* They held their meetings at Taylors' Hall, in Back-lane, Dublin, whence the nickname of the Back-lane Parliament.

these shameless practices, was still further extended by a contemptuous rejection, session after session, of the liberal proposals already referred to,—by an affront offered to Lord Charlemont, which he resented by resigning the honorary post of governor of the county of Armagh,—and by such paltry acts as that of dividing the office of weighmaster of Cork into three parts, for the purpose of still further adding to the influence of government in the House of Commons, by giving them to members. The climax may be said to have been reached in 1793, when the state of the parliamentary representation was fully exposed. The history of the Irish House of Commons—as profligate, impotent, and unenviable a public body as ever existed, saving always a very few splendid exceptions—and the enormous amount of public malversation and private impurity produced by its constitution, are well described in the speeches delivered upon this occasion, particularly by Grattan, and William, afterwards Lord, Ponsonby. During eighty-five years out of the preceding century, no parliament whatever had sat. The house contained 300 members, of whom 64 were credited to 32 counties; 14 to 7 cities; and 220 to 110 boroughs; but the actual choice of 219 members was held to be in the hands of patrons, while only 81 were within the reach of the people. Two hundred, moreover, of the 219 patron-members were sent into the house according to the pleasure of 100 individuals, each of whom, therefore, might be said to have had two representatives of his personal interests in the councils of the nation. It was further calculated that 50 out of the 200 were the nominees of 10 persons—each of whom would have had five representatives. The rental of Ireland, at this time, was estimated at six millions sterling a year; and the rental of the 200 persons who contributed these 200 members to the House of Commons, averaged £4,000 a year. All this it was proposed to correct and purify; but the effort was unavailing.

The temper of the age as much as the desperate position of the country no longer permitted either Mr. Grattan or the Whig Club to lead the people. The English minister was fast

outstripping the bounds within which a constitutional resistance to misgovernment is to be maintained. The French revolution, as already observed, had lit up in the minds of men a wild and consuming ardor for liberty, which had no sooner touched the inflammable sense of degradation long smothered in the bosoms of the Irish, than it spread with uncontrollable rapidity. Their apprehension of this fast growing mischief threw the English ministry suddenly into a new mood of conciliation, involving an unexpected series of inconsistent, imperfect, and unsatisfactory measures—which just granted enough to vindicate past disaffection, and withheld more than enough to provoke it for the future.

1793 was thus a year of singular events. The parliamentary session began in the month of January with a speech from the earl of Westmoreland, in which, after lamenting the prevailing discontent of the people, he invited both houses to take into consideration such measures as would cement and strengthen all parties in supporting the constitution. Every bill brought forward for this purpose was a triumph to the opposition—a signal tribute to the force of public opinion, and a direct and unequivocal confession that the claims so often and so energetically put forward, had been reasonable, just, and such as ought to have been granted long before. With the single exception of parliamentary reform, the different questions mooted by the opposition in the last session, were now revived with the consent of the crown, and made subjects of positive legislation. A place bill passed, and the pension list, that oldest and most fruitful source of corruption, was limited to £80,000 a year. It was also agreed that no future pension should be granted to any person (members of the royal family excepted) for more than £1,200 a year. The king surrendered his hereditary revenue, and received in exchange a fixed civil list, which was not to exceed £225,000 a year. But though something was yielded on each account, full relief was not given in one. By thus paltering with all great interests, and rescuing none from the impending danger, the government and the parliament afforded the last remaining

proof which it was in their power to offer of extreme vacillation, and their utter incompetence to deal efficiently with the affairs of the nation. The most mistaken and injurious of these penurious experiments upon the excited temper of the age, was the narrowminded attempt to conciliate the attachment of the Roman Catholics by the act, 33 Geo. III. c. 21, better known as the Forty Shilling Freeholders' Act.* Mr. Grattan had wisely called upon the ministers to give liberally, if they gave at all, and to place the whole body of Roman Catholics upon an equal footing with all other dissenters from the established church; but instead of admitting to political power the nobility and gentry of that persuasion, the men of wealth, independence, and information, the government conferred the elective franchise upon the poor and ignorant peasant, making his wretched dependance upon the landed oligarchy still more slavish, and adding new instruments of oppression and corruption to that inveterate, and overbearing influence in the state which had always been a principal cause of agrarian insubordination and national distress.†

* This instalment of relief had been preceded by the 32 Geo. III. c. 21, which admitted Roman Catholics to the bar, permitted them to practise as attornies, allowed them to teach schools, and suffered Protestant barristers to marry Roman Catholic wives, &c.

† A subsequent part of this work will be the proper place to expose the disastrous effects produced by this law upon the social condition of the Irish peasant. As an instrument of party power and class legislation, it pleased its authors, having proved, for some years, an apt invention, and realized the ends which it was designed to bring about. In point of fact, so long as the great landlords succeeded in keeping their tenants to themselves, they held in their own hands the election of members of parliament. When, however, in process of time, the religious feelings of the voter came to be worked upon, this unprincipled franchise was turned against its patrons, and became the means of breaking down their tyranny. All this appears to have been clearly foreseen when the law was first made. Sir Laurence Parsons, afterwards earl of Rosse, then said:—"There never was a more important moment. Public expectation is wound to the highest; we must give what will gratify, but will not destroy; an error now may bring on years of calamity. * * * Some, I know, think that these inferior Catholics would be so dependent upon their landlords, who are mostly Protestants, that they might be admitted to the franchise without any danger. To this I say, that, though they might vote with their landlords, they might also vote against them; interest might lead them one way, but bigotry might lead them another. * * * By giving franchise to the inferior Catholics what do you do? You give the franchise to a body of men in

Having rendered homage to the patriotism of the opposition, by thus resorting to a lame adoption of their principal recommendations, the government turned quickly, and obtained with ease, additional powers to repress the still active spirit of discontent amongst the public. They prepared and carried bills for preventing the sale and use of arms and gunpowder,—for increasing the regular army from 12,000 to 17,000 men,—for levying a militia of 16,000 men,—and for prohibiting the election or appointment of conventions or other assemblies under the pretence of petitioning the crown or parliament.

The complete failure of the ill-digested measures of half satisfaction passed in 1793, became apparent as soon as they were enrolled amongst the statutes of the realm. They neither gratified the Catholics nor the reformers, and they strengthened the ministry in no respect. The little that was granted only served to whet the desire to gain the much that was still withheld. Party dissensions and popular collisions continued

great poverty and in great ignorance—bigotted to their sect and their altars—repelled by ancient prejudices from you, and at least four times the number of you. You propose to give them the elective franchise, by which they will almost, in every county in the three provinces out of the four, be the majority of electors, controlling you, resisting and irresistible. But still, some men think that the inferior Catholics would not abuse this power. I do not say it is certain that they would; neither can you say it is certain that they would not; and this is a case in which nothing should be left to uncertainty. Suppose you gave the inferior Catholics the franchise, and that they should meet in all their parishes to determine the exercise of it, and that they should nominate in their chapels their representatives to parliament, what would there be to stop them? The power of their landlord might do much, but the power of religion might do much more. How much might these people be wrought upon by their priests at their altars, working upon their superstition and poverty? How easily might they be persuaded that their temporal as well as their eternal felicity depended upon their uniting together in the exercise of their franchise! * * * In short, there never was a measure pretending to be a great one, more narrowly conceived than the present bill. It courts the Catholic rabble, and insults the Catholic gentry. It gives power to those who are ignorant, and therefore dangerous, and withholds it from those who are enlightened, and therefore safe. It gives equal powers with the Protestants to the lower class of Catholics, who are the most numerous, and thereby gives them a superiority, and it does not give equal powers to the upper class, who are less numerous than you, and who could, therefore, have had no superiority—that is, it does the very reverse of what it ought to do."

to prevail. The united Irishmen invited the volunteers to resume effective service; an attempt was made to act upon the invitation, but the government dispersed the few who ventured to meet, by a decisive proclamation and the demonstration of military force. In the midst of these proceedings the year 1794 witnessed the conviction of Mr. Hamilton Rowan for a seditious libel, and his subsequent escape from prison to France under the suspicion of a much graver offence. About the same time, the Rev. Mr. Jackson,* an English Protestant clergyman, who had recently arrived in Dublin from Paris, was committed to gaol upon a charge of high treason. Agrarian turbulence and sectarian contentions continued to increase; the country, though ruled by a coercive policy, offered no signs of returning order or growing improvement; and the earl of Westmoreland having failed to inspire confidence in the middle, or to restore tranquillity amongst the lower classes, rendered his removal from office unavoidable.

The following year, 1795, was one of the highest expectation and profound disappointment. An important change in the English cabinet led to a brief interval of buoyant rejoicing amongst all men of liberal politics in Ireland. Mr. Pitt having brought over to his ministry the duke of Portland, Earl Fitzwilliam, and the other members of the Rockingham section of the English Whigs, seems to have felt that the season had at length arrived for substantially improving the condition of Ireland. The plans of his new colleagues for the welfare of that country had often been detailed, and were universally known. When the earl of Fitzwilliam's appointment to the lord lieutenantcy was announced, confidence took possession of the public mind, and the conviction became ge-

* This unfortunate emissary saved himself from an ignominious death upon the scaffold by taking poison: he actually expired in the dock. Before he proceeded to Ireland he divulged his intentions to a London attorney, named Cockayne: this man betrayed the plot to Mr. Pitt, who despatched him to Dublin, as an accomplice. As soon as Jackson had fully committed himself, Cockayne gave the necessary information to the Irish government, and the officers of justice cut short his career.

neral that a full and complete measure of parliamentary reform would be quickly acquiesced in, and that a total emancipation of the Roman Catholics from civil and political disabilities would no longer be denied.

But these visions of a bright and prosperous future were soon dispelled. Mr. Pitt gave a second proof of his want of firmness and consistency in his government of Ireland, while he raised another large sum of money from that country upon the credit of a boon which he never conferred. As in the year 1785, he had approved and then abandoned the commercial propositions of Mr. Foster and Mr. Orde, gaining additional taxes to the amount of £140,000, pending the consideration of his specious overtures; so in 1795 he procured £1,700,000 by first encouraging and then disappointing a general expectation that power should be entrusted to the hands of those who would use it freely for the public good. After calling over to England, and repeatedly consulting, the leaders of the opposition, Mr. Grattan and Mr. Ponsonby, the new arrangements appeared to have been definitively settled, upon mature consideration, and to the satisfaction of all parties engaged in them. Accordingly Earl Fitzwilliam took possession of his government, Jan. 4, 1795, announcing that it would be his duty to call to his council men distinguished by their wisdom, their integrity, and their talents, and possessing the confidence of the people. Assisted by their advice, he proposed to effect a full and cordial union of all his majesty's subjects, as the surest means of securing their happiness and placing the strength and prosperity of the nation upon a solid basis.

The governing oligarchy at this juncture was led by the Beresfords. Earl Fitzwilliam found this family rioting in emoluments greater than had ever before been accumulated by one branch of the nobility; and Mr. Beresford, their political head, possessed of an extent of power exceeding that of the lord lieutenant. This gentleman had swayed every preceding lord lieutenant, from Lord Townshend to the earl of West-

moreland. Earl Fitzwilliam signalised the commencement of his viceroyalty by dismissing Mr. Beresford, and in less than three months was himself recalled.

This summary transaction was followed by violent demonstrations of grief and indignation, and it must be admitted that circumstances justified all the resentment displayed. The popular party denounced with vehemence the duplicity practised against them. The malversations in office had long been so gross and notorious,—the progress of corruption so monstrous,—the unpopularity of the Beresfords and their colleagues, as the authors and abettors of every species of abuse, peculation, and oppression, had been so general,—that the prospect of a total change in the management of affairs, and the introduction of new men and a purer system, seem to have acted like so many charms—to have instantaneously refreshed the public mind, and restored it to a healthy tone of confidence and strength. The country, it was believed, was no longer to be enthralled; the new ministers were empowered to reduce their well known professions into practice; the parliament was to be reformed; the Catholics were to be emancipated; and the interests of Ireland were to be forwarded by a united ministry and legislature, secure alike of popular support and the approbation of the crown. Full of this idea of overflowing good fortune, the Irish were invited to aid the English minister in carrying on the war in which he was engaged, and the Commons echoing the public voice in his favour, voted him extraordinary supplies to the amount of £1,700,000.

At this point, however, the mellow sunshine of the political atmosphere became suddenly overclouded. Mr. Pitt was known to have expostulated with the new viceroy, and to have remonstrated against his proceedings. In the end, as Sir Laurence Parsons observed, the country was deprived at a most critical juncture, "of the auspices of a nobleman who came the harbinger and the hostage of her political salvation, and to whom the people looked up with confidence—after voting the enormous supply of £1,700,000 to save, if

possible, the empire from destruction. The great and salutary measures of reform, retrenchment, and responsibility vanished,—the Catholics instead of the accomplishment of their hopes had the gates of the castle slapped in their faces, and were refused the blessings of the constitution,—Mr. Pitt, not satisfied with having involved the empire in a disastrous war, intended to complete the mischief by risking the internal peace of Ireland, making the friends of that country the dupes of his fraud and artifice, and swindling the nation out of £1,700,000 to support the war, on the faith of measures which he intended should be refused." *

From the period of Earl Fitzwilliam's recal in the year 1795, to the Union in 1800, no form of constitutional government can be said to have existed in Ireland. The stoutest hearts trembled for the peace of the country when the old taskmasters returned in triumph to the castle of Dublin. They soon showed that to whatever lengths the popular disaffection might extend, their faction was prepared to go farther still. Violence upon the side of the people was to be encountered

* All the writers of this period dwell more or less emphatically upon the charge of duplicity brought against Mr. Pitt for allowing Earl Fitzwilliam to believe that he was supported by the cabinet in his views of Catholic emancipation. Looking at all the circumstances, it is almost impossible to say that the conduct of the prime minister was not highly censurable. Putting the best construction upon it which the ascertained facts will admit of, he must be censured either as having intended to deceive his lord lieutenant, or to have been content that a very dangerous and unbecoming experiment should be tried. Unfortunately on most occasions of this kind, the witnesses who could best settle the points in dispute are those who either do not come forward, or only communicate information indirectly. Here Mr. Pitt does not speak himself, but the earl of Westmorland asserts for him in the House of Lords, that Earl Fitzwilliam had no authority whatever from ministers in England for taking the steps he did on the Catholic question—they were taken not only without their authority, but with their positive disapprobation. On the other hand, we find the earl writing to Lord Carlisle, that he never would have undertaken the government, if the duke of Portland and Mr. Pitt had not concurred with him in the policy of relieving the Catholics from every remaining disqualification. On the same side, we have Mr. Grattan positively affirming, that being informed that the ministers sent for him and his friends to adopt their measures, he distinctly informed them that Catholic emancipation was one of them. It was upon this faith that Mr. Grattan moved the address in answer to the lord lieutenant's speech at the opening of the session.

and mastered by more excessive violence upon the part of the government. We have thus to trace under the administration of the earl of Camden, the repeal, in quick succession, of the several laws which protected liberty, and guaranteed the safety of individuals and the augmentation of property. In their stead we behold the severest measures enacted by which despotism could be fortified, and a government of military violence enforced. The Habeas Corpus Act is suspended; civil oppression and agrarian outrage proceed at rival paces; insurrection and indemnity bills are hurried through parliament; increased discontent seeks a vent in partial insurrection; and continued insurrection expands into wide-spread and desperate rebellion. Foreign invasions take place, and late in the struggle, the British army, realising the description of Sir R. Abercromby, having proved formidable to every one but the enemy, flies before a forlorn hope of Frenchmen. In vain had Grattan invoked freedom and conciliation;—in vain proclaimed every other policy contemptible as well as cruel;—in vain propounded the generous truth that all the people should instantly embrace, and the ministers should greatly emancipate. In 1797, the expedition under General Hoche, after having been defeated by the hostile elements, hung over Bantry Bay and returned to Brest; several persons were charged with treason; lenient measures were earnestly recommended in the parliaments of England as well as of Ireland, and rejected in both; the conspiracy of the united Irishmen was published by authority; Mr. Grattan, Mr. Ponsonby, Mr. Curran and others,—now a small but firm band,—made a last effort to defend the rights of their country by moving the standard questions of parliamentary reform and Catholic emancipation. They failed in them, and withdrew from parliament.* Ireland was now

* The address in which Mr. Grattan now took leave of his constituents, and the Whig-club petition, which he drew up, to the king, describing the recent events and the consequent state of the country, are documents too long to be inserted here, but every way entitled to the attention of those who would understand the true nature of the contest carried on between the ministers of this period, and the Irish liberal politicians. For power of statement, for vigorous and affecting eloquence, for beautiful noble composition, these two pieces are and beyond all measure admirable.

surrendered to military violence, executed by 80,000 furious soldiers.

Although much has been written of the rebellion of 1798, our information is confused and indistinct of the sources from which it emanated, and the objects to which it was directed. It remains to this day nearly as profound a mystery as it appeared at the moment of its first explosion. The organization has been fully detailed, and the opinions of some of its leaders have been explicitly recorded; but the real aim of the multitude who took the field on this occasion in scattered masses has never been clearly explained. Looking at the number, extent, and gallantry of the popular operations, we are tempted to recognise a general attempt to revolutionize the country; but upon examining separately the persons who were engaged, and the events which took place, we fail to detect the certain characteristics of a national conspiracy. That identity of purpose,—that common interest and understanding,—that universal sympathy and agreement upon certain rallying points, which constitute the firm bonds of union, and knit together all great rebellions, are wanting here. There is no hero—no battle-cry—not even a watchword. We have before us a dark and irregular outline,—outbreaks of violence, crime, and bloodshed; but no settled ulterior plan, no fixed goal, no fully developed movement. Nearly a million of men may have taken the oath, and risked their lives at the impulse of the society, but they neither appear to have known the principal leaders,—to have adopted their particular principles,—nor to have agreed amongst themselves what grievances they would redress, or what franchises they would secure. Both the persons who took part in the encounter and the opinions entertained by them, present a heap of contradictions and incongruities. The confederation originated with the Protestants and Presbyterians in the North; the battles were fought by the Roman Catholic peasants in the South. Wolfe Tone, Napper Tandy, and Lord Edward Fitzgerald were republicans; but there is nothing to show that a republican form of government was desired by the courageous hordes who turned out, pike in hand, and maintained a series of running fights for

nearly a year with the king's troops. By them the example of France, the great cotemporary incentive to popular commotion and political change, was hardly known, and certainly not understood. What, then, it may be asked, was the rebellion of 1798?—what produced it?—what sustained it?—what was sought by it?

The true answer to these questions will be readily given by those who have studied the history of the country attentively, and made themselves correctly acquainted with the condition of the inhabitants. This rebellion was the general result of intolerable misgovernment. Ireland, always the land of oppression, had always been the congenial soil of conspiracy. Where wrongs had been continually borne, and transmitted for ages from father to son, like so many heir-looms of vengeance, private hostile combinations became habitual in the suffering class. There are, moreover, natural qualities in the constitution of his character, which particularly dispose the Irishman to indulge in associations of this kind. Loving enterprise and mystery, he fed his courage and his imagination with these indulgences, while he gratified his desire of throwing off, and taking satisfaction for, the degradation by which his pride had so long been wounded. His position was surrounded by other circumstances decidedly favourable to these predispositions. For a long term of years—in truth, for preceding centuries—society in Ireland had never been found without a class of persons who possessed and deserved, not alone the commiseration, but the respect of the community upon the skirts of which they hung and barely subsisted. These were persons who had been wronged in due course of law, or pauperized by the political misdeeds of their forefathers. There was always, therefore, a period at which the unsightly object of unmerited suffering, on an extended scale, was present to humane and right-minded men. There followed, of course, sympathy for the sufferer, and often pity for the violator of the law, who was believed to have been goaded into violence by his sufferings. These feelings lit up a strong flame in many bosoms which served to point the way to those retired haunts in which the

oath of the secret society was administered at midnight, and the vain hope of better days for Ireland was made the spell that led to deeper sufferings than had been endured before.

Innumerable provocations and temptations had thus poured their influence together, in order to accustom the Irishman to habits of conspiring. He could scarcely stir or speak without receiving a hint to consult for the redress of his wrongs, or the relief of his misfortunes. Secret combination and midnight conference thus became ordinary avocations, and were prized as the only form in which consolation or enjoyment were admitted to his destitution. In this way of life the rebellion of 1798 was fostered, and attained shape and strength. It was presented to old customs, and wearing a familiar guise was adopted inconsiderately and followed blindly. There was in the masses the sense of oppression—the loud outcry constantly raised, and never answered meetly—the passion for revenge, wildness and despair. These were its elements; but they were not combined with any clear or positive design amongst any considerable portion of conspirators to pull the Irish crown from the head of King Geo. III., or to substitute another form of government in the place of that which his ministers and peers had imposed upon them. We behold a general outburst for the purpose of throwing off a galling yoke, but no unanimity of opinion, and scarcely any concert as to the nature of the institutions which it would be proper to frame in the event of success.

One of our shortest accounts of the composition and designs of the Society of United Irishmen, is furnished by the Committee of the House of Lords in 1797. We are thus informed that—

"The system was first represented to be for purely civil or political purposes. The inferior societies, at their original institution, consisted each of thirty-six members, afterwards reduced to twelve; these twelve chose a secretary and treasurer; and the secretaries of five of these societies formed what was called a lower baronial committee, which had the immediate direction and superintendence of the five societies who thus contributed to its constitution. From each lower baronial committee, thus constituted, one member was delegated to an upper baronial committee, which in like manner assumed and exercised the superintendence and

direction of all the lower baronial committees in the several counties. The next superior committees were, in populous towns, distinguished by the name of district committees, and in counties by the name of county committees, and were composed of members delegated by the upper baronials. Each upper baronial committee delegated one of its members to the district or county committee, and these district or county committees had the superintendence and direction of all the upper baronials, who contributed to their institution. Having thus organised the several counties and populous towns, a subordinate directory was erected in each of the four provinces, composed of two members, or three, according to the extent and population of the districts which they represented, and were delegated to a provincial committee, which had the immediate direction and superintendence of the several county and district committees in each of the four provinces; and a general executive directory, composed of five persons, was elected by the provincial directories; but the election was so managed that none but the secretaries of the provincials knew on whom the election fell. It was made by ballot, but not reported to the electors; the appointment was notified only to those on whom the election devolved, and the executive directory, thus composed, assumed and exercised the supreme and uncontrolled command of the whole body of the union.

"The manner of communicating the orders issued by the executive directory was peculiarly calculated to baffle detection. One member of the executive alone communicated with one member of each provincial committee or directory; the order was transmitted by him to the secretary of each county or district committee in his province; the secretaries of the county and district committees communicated with the secretaries of the upper baronials in each county; they communicated with the secretaries of the lower baronial committees, who gave the orders to the secretaries of each subordinate committee, by whom it was given to the several inferior members of the union.

"The leaders having completed their system in the province of Ulster, so early as the 10th of May, 1795, and having made considerable progress in establishing it in the autumn and winter of 1796, in the province of Leinster, proceeded at that period to convert it into a military shape and form, for the undisguised project of rebellion; this was distinctly acknowledged by Arthur O'Connor, William James M'Nevin, Thomas Addis Emmet, and Oliver Bond, who confessed themselves to have been leading and active members of this conspiracy, as will appear more distinctly from the appendix to this report. From the confessions of these persons, it appears that the military organization, as they termed it was grafted on the civil. The secretary of each subordinate society composed of twelve, was appointed their petty or non-commissioned officer; the delegate of five societies to a lower baronial committee, was com-

monly appointed captain of a company composed of the five societies who had so delegated him, and who made up the number of sixty privates; and the delegate of ten lower baronials to the upper or district committee, was commonly appointed colonel of a battalion, which was thus composed of six hundred men. The colonels of battalions in each county sent the names of three persons to the executive directory of the union, one of whom was appointed by them adjutant general of the county, whose duty it was to receive and communicate military orders from the executive to the colonels of battalions, and in general to act as officers of the revolutionary staff. In addition to this establishment, it appears that a military committee was appointed by the executive directory to prepare a regular plan for assisting a French army, if any such should make a landing, by directing the national military force, as it was called, to co-operate with them; or to form a regular plan of insurrection, in case it should be ordered, without waiting for French assistance: and it appears to your committee, that a regular and digested plan of insurrection was actually formed and reduced to writing in April 1797, which was given up, for that time only, from the representations of the executive directory of the union, that speedy and effectual assistance was promised from France. For the purpose of arming this body, orders were given to the Irish directory that every member of the union who had the means, should provide himself with fire arms and ammunition; and that such persons whose means would not afford any other weapons should provide themselves with pikes; which order appeared to your committee to have been executed in a very great extent throughout the provinces of Ulster, Leinster, and Munster. In the province of Connaught the emissaries of the union seem not to have been enabled to proceed farther in their system of treason than by administering oaths to the people: their farther progress seems to have been obstructed by the vigourous exertions of the executive government, when rebellion broke forth in acts of open hostility. It appears to your committee, that the directory of the union, having thus established a revolutionary government in themselves over a great body of the people, issued an order forbidding the use of any article of consumption liable to the excise duties; which order was stated to your committee by the aforesaid persons, who had been members of the republican directory, to have been generally and implicitly obeyed; and it further appeared to your committee, from the testimony of the same persons, or some of them, that an order had also been issued by the same directory to stop the currency of bank notes, and to forbid the purchase of quit rents payable to the crown, which, by an act of this session, have been vested in the lords commissioners of the treasury, to be sold for the service of the current year; with a threat on the part of the directory, that such a sale would be disallowed at the approaching revolution, as an anticipation of its resources."

This, it must be confessed, was a scheme contrived with skill and effect. It displayed an intimate knowledge of the Irish character, and organized a tremendous power. The forms adopted were exactly suited to the dispositions of the people. The frequent meetings, the reserve of the principals, and the concealment of the head, harmonized at once with the popular love of action and mystery, and allowed each member to feed his imagination with the hope that the real object of the combination was the redress of the particular grievance upon which his own heart was set. But, notwithstanding all the facilities and attractions which were offered by it for binding the people together, the design was only calculated to realize that species of abortive rebellion to which it actually gave birth. The arrangements were infinite, and as plastic as could be desired; the connecting links were subtly framed and easily commanded; the channels were ingeniously provided for pouring the blood of active existence through the whole great framework;—but the vivifying spirit, the electricity of some directing genius to animate the whole, to act upon every part, and excite a reciprocating action in each, was altogether wanting. It was a monster of infinite animal powers—all legs and arms—but without the intelligence, or the soul to move the vast machine to greatness or to good.

The tame reception uniformly given to the French evinces in the strongest manner the total absence of any common understanding between the originators and heads of the society, and the masses who composed its body. There were two French invasions, or rather attempts at invasion; the first under Hoche, the second under Humbert—the small squadron, with the high-spirited but unfortunate Wolfe Tone on board, was an aid to Humbert, and not a separate expedition. In each of these instances, the people proved that they were neither anxious nor prepared for a republic, or a French alliance: their support of their foreign friends was desultory and feeble. As little was it Parliamentary Reform or Catholic Emancipation that stirred them. These were questions warmly desired in the middle class, but not cared for in the lower: an idea of carrying one or the other by force was never bruited. Whence,

then, was elicited the concealed fire that lit up this vast conflagration? From agrarian oppression,—from the wanton tyranny of landlords,—from the daily injuries inflicted upon the peasantry. There lay the strong and active aliments that fed the rebellion and communicated to its ravages the most daring spirit. The peasantry of Kildare and Wexford understood nothing of the political innovations for which Lord Edward Fitzgerald, Mr. Wolfe Tone, the brothers Sheares, and so many others lost their lives. The knowledge of the peasantry was of a very different kind—it moved from a far deeper seat, and possessed more invigorating qualities. Each man of them carried in his breast the profound and embittering conviction that he had been reared as one of an inferior race of men,—that he had always been goaded by the contumelies and exactions which are never launched but against a degraded caste,—that he had lived uniformly a life of incessant toil, linked with the most miserable poverty. This was the knowledge that made him bound forward with joy to avail himself of an opportunity of striking a manly blow to elevate his abject condition, and vindicate in his person the rights of suffering humanity. If it had not been for all this, the rebellion would have expired when its leaders were thrown into prison and led to the gallows. Subsequently to those events, however, came the period of its fiercest outbreak: the body did not move until the head had been cut off. A more conclusive proof could not have been afforded to show how ill-informed were the people as to who their leaders were, or what were the particular principles for which they had been instigated to fight.

The government, however, appear to have been well instructed in all these respects. The cabinet in London, as well as the privy council in Dublin, had long been informed of the existence and the nature of the conspiracy. When they permitted it to proceed, did they not desire that it should ripen? Jackson's mission from the French republicans to the disaffected in Dublin, was executed with the privity of the home office in Whitehall; and Lord Clare affected to complain, in 1798, that the conspirators had been left undisturbed for three years, in despite of his remonstrances. The admissions made upon both

sides of the House of Commons, when the treason was formally proclaimed, tended still further to explain the general understanding that prevailed as to the true origin of the evil. By one party it was avowed that disaffection pervaded the whole kingdom, and could not be suppressed by ordinary means of coercion. The house was told that disorganization had been produced by general misgovernment, and that the retributive justice of mere punishment for actual excesses could neither check the disorder, nor stop up the sources from which it flowed. Mr. Secretary Pelham echoed this view of the case, apologizing not only for the mass of the people generally, but for several United Irishmen whom he represented as being much less criminal than the rest. Many amongst them, he said, had been misled by specious pretexts. Parliamentary reform, he observed, especially during the French Revolution, must prove a very questionable topic for agitation, both in its motive and tendency. Assemblies of men, which would be innocent, and therefore lawful in times of tranquillity, might, in the present crisis, assume a far different character; and in this way he did not hesitate to confess that many well-disposed persons had continued to be members of the confederacy.

Had the mischief been dealt with in the spirit of these observations, the history of the kingdom would have escaped the lasting disgrace with which a series of flagitious enormities has blackened its pages. Mr. Pelham was succeeded in his office by the Right Honourable Robert Stewart, Lord Castlereagh,* afterwards marquis of Londonderry, and leader of the British House of Commons under the administration of Lord Liverpool. The vigour beyond the law which this nobleman supported, together with the means which he countenanced "to make the rebellion explode," have attached an indelible stain to his memory. But he was not the author of the terrible system with which his name is so darkly associated. He found it in full operation, and pushed to its most

* The Right Hon. Robert Stewart was a member of the convention of delegates, elected by the volunteers in the year 1783, to present Mr. Flood's plan of reform to the House of Commons. At the general election in 1790 he stood for the county of Down, and was returned because he professed the principles of an uncompromising reformer.

unmerciful and brutal extremes. Luttrel, earl of Carhampton, well known in the parliamentary history of England as the ministerial opponent of Mr. Wilkes at the celebrated Middlesex elections, was the Irish commander-in-chief, when the earl of Camden became viceroy, and soon rendered himself odiously conspicuous by his conduct. While he served as general, military licentiousness reached a daring pitch of cruelty. The soldiers living at free quarters in districts reported to be disturbed, and having been authorized to act without the presence of a civil magistrate, made it sport to seize the devoted peasantry, and subject them to the most capricious punishments. Earl Moira asserted in parliament, that a company of soldiers, searching for arms, would burn thirty houses in one night. Imprisonment upon suspicion, torture to extort confession, and transportation without trial, were excesses of daily occurrence. Lord Carhampton patronised a tribunal worthy of the darkest era of the Spanish inquisition. We are assured that he and other magistrates used to make a practice of meeting and examining together the private reports sent in against persons who had been arrested without any evidence of guilt: these examinations proceeded in the absence of the accused, who, whenever the suspicion appeared strong, were sent on board a transportation tender, as "being otherwise likely to elude justice."* For this display of "wholesome severity," the earl of Carhampton was repeatedly honoured with the warm thanks of county grand juries and Orange corporations, while an approving parliament shielded him from all liability to the lawful consequences of guilt, by passing an act of indemnity.

General Lake, commanding the province of Ulster, emulated the example of Lord Carhampton. A proclamation under this officer's hand to the disturbed districts in the north,—the manner in which he enforced martial law, at the

* "Lord Carhampton, impatient or dissatisfied at the law's delay, undertook to exert a rigor beyond it. He emptied all the prisons of their tenants, and, without form of trial, sent them, and every one he chose to suspect of dissatisfaction, on his own authority, to serve on board the fleet: above 1,300 were thus transported from their homes during 1796." —*Plowden's History of Ireland*, vol. ii. p. 372.

instigation of spies and informers, and the reckless acts of wanton outrage committed by the officers and men under his command, excited a general feeling of horror and indignation. Amongst these a mid-day attack upon the office of the "Northern Star" newspaper at Belfast, and the destruction of the types and the house, by a party of his soldiers, deserved, the severest punishment, but was allowed to pass without even reprobation. Another monstrous case was that of the unfortunate Mr. Lucas, who was sabred to death with his hands tied behind his back, because some countrymen flocking round, suggested to the colonel who was marching him to prison the fear of an intended rescue. The body falling into the hands of relatives, was waked according to the custom of the country; but Sparrow, the officer, followed to recover it, broke into the house where it lay, and severely cut and mangled several of the mourners who had assembled around it. Having been tried and found guilty of this murder, Sparrow drew from his pocket a royal pardon, which had been previously forwarded to him by the government, and thus escaped all punishment.

The character of the period and the spirit of the government during the year 1797, are but too emphatically explained by such occurrences as these. The tampering of the French republicans with the United Irishmen had been distinctly revealed in 1796, upon the dispersion of the expedition from Brest. From that moment the great object of the government seemed to be a measureless chastisement of the nation at large, because a portion of it had been tempted to entertain treasonable propositions. The state policy in Ireland remained unmodified, the admitted grounds of discontent, and many an injustice, afterwards redressed, were left untouched, and rebellion proceeded with Lords Clare and Castlereagh as its ministers. Two disheartening lessons were taught to the United Irishmen early in the progress of their fate: the first, that upon this as on all former occasions, all those who relied for success upon French co-operation,* were doomed to disappoint-

* A fatal propensity has always led the Irish to look upon the French as necessary allies in their struggles against English oppression. The

ment, and the second, that notwithstanding the rigid care paid to secrecy in the construction of their plan, the whole had been divulged to government long before the time fixed upon for its development. The memoir drawn up for the purpose of making the Directory in France acquainted with the strength of the society, the turbulence of the people, and the most vulnerable parts of the kingdom, found its way into the hands of the English minister. When Mr. O'Connor, Dr. M'Nevin, and their fellow prisoners, were brought before the privy council, they were surprised to find a copy of this document lying before them. In April, 1797, the Ulster committee was betrayed at Belfast. In March, 1798, the Leinster committee was betrayed in Dublin; on the 19th of May following Lord Edward Fitzgerald, and on the 22nd, the brothers Sheares were betrayed. The principal informers were one Reynolds,* a United Irishman, and a captain Armstrong,

[illegible] that the character of the French as conquerors and [illegible] was not worse than that of the English, has been either wholly overlooked, or has slightly influenced, the minority of Irish combatants against the dominion of England. In the years 1691 and 1798 we see the feeling for France impelling the same course of action and producing precisely similar results. Regarding France as the natural enemy of England, and considering the Roman Catholic religion as a common bond of sympathy and connexion, the Irish have trusted on both occasions to a French force as their surest instrument of victory. That aid never once arrived either opportunely or according to promise, and when it did appear, too often excited by its numbers and composition the fear of having been designed more for conquest than restoration. If the Irish leaders of that age could have brooked the demonstrations given by the French generals of a design to rule the Irish, and to treat them in every respect as inferiors, the treaty of Limerick, in all probability, would not have been signed on the 3d of October, 1691. Some community of sentiment and interest derivable from the profession of the same religion seems to have been dreamed of by many of the Irish and to have been despised by the French. National and not religious enthusiasm has animated that gay and gallant people in all their wars and adventures for years past. Their design, equally in 1691 and in 1798, was to make Ireland a French dependency. The idea of raising that country to a state of freedom and then leaving it independent of France or England has as little entered at any period of time into the policy of the statesmen of one country as of the other. To what mutations the kingdoms of the world may be destined no man can tell; but if a negative prophecy may be tolerated, it may be confidently predicted that the separation of Ireland from England will never be effected by the co-operation of France, whether religious or political.

* This informer fared well with the English government. He had been a silk manufacturer, struggling for years on the brink of ruin, but con-

who had wormed himself into the confidence of the members, whom he delivered up to justice, and who encouraged their plot while revealing its objects to Lord Castlereagh. These men received large rewards for their infamous services. The force enrolled was 99,411 men, who were thus distributed through ten counties :—Antrim, 22,039; Down, 23,769; Derry, 10,000; Tyrone, 12,169; Armagh, 12,273; Monaghan, 3,075; Donegal, 9,648; Cavan, 1000; Fermanagh, 2,000; and Louth, 3,438. The arms of this body amounted to 6,346 guns, 2,536 bayonets, 3,816 pikes, 465 pistols, 18 blunderbusses, and 8 cannon :—of money they had only £144 2*s.* 1*d.* In Leinster, the total number of members was 67,295, who were thus enrolled in the following counties :—Wicklow, 12,895; Carlow, 9,414; Kildare, 10,863; Meath, 14,000; Kilkenny, 604; and the Queen's County, 11,689 :—their funds amounted to £1,485 4*s.* 9*d.*

The principals were all in gaol or had fled from certain arrest, when the insurrection broke out in the counties of Kildare and Carlow on the appointed 23d of May. The deluded peasants were everywhere destroyed. The government met their opening violence with a spirit of savage defiance, and exhausted in its suppression every horror which it seems possible for the most unrelenting inhumanity to perpetrate.

While Mr. Pelham continued in office, the authorities, civil and military, shocked at the growing excesses of the military and the magistrates, appear to have made an effort to restrain them within the bounds of discipline. Some strong observations, in a well-known general order issued by Sir Ralph Abercromby, justify this opinion :—" The very disgraceful

triving to keep up his credit by making a dashing appearance. As a part of this plan, he took a lease of Kilkea Castle and some adjoining ground, from the duke of Leinster, and lived somewhat in the style of a gentleman. The first sum he received for betraying the conspiracy was £500; he afterwards received a place in the post-office at Lisbon, a pension of £1,000 a year, and, by way of getting him out of the way, and furnishing an excuse for paying him more money, was made consul at Iceland. He continued to importune the government for money and preferment, until Lord Londonderry's death opened the foreign office to Mr. Canning's talents, when an end was quickly put to the unworthy connection so long subsisting between the king's government and such a person.

frequency of courts-martial," said that eminent commander, "and the many complaints of the conduct of the troops in Ireland, having too unfortunately proved the army to be in a state of licentiousness, which must render it formidable to every one but the enemy, the commander-in-chief thinks it necessary to require from all generals commanding districts or brigades, as well as commanding officers of regiments, that they exert themselves, and compel from every officer under their command, the strictest and most unremitting attention to the discipline, good order, and conduct of his men; such as may restore the high and distinguished reputation the British troops have been accustomed to enjoy in every part of the world."

But ordinary severities could not appease the fury of the Irishy privy council. Lord Camden issued a proclamation, giving notice, that "his majesty's general officers had orders to punish, according to martial law, by death or otherwise, as their judgment should approve, all persons acting, or in any manner assisting in the rebellion." Even Sir Ralph Abercromby found himself constrained to echo this virulent language, and to declare, that unless the people gave up their arms in ten days, troops should be sent amongst them to live at free quarters,—to act without the presence of a magistrate, and to enforce obedience by other severities. It has been forcibly remarked, that the revolutionary army of France in all its invasions, never published such orders as these. That a truly gallant soldier who afterwards died in the arms of victory while defeating Napoleon, should have signed them, suggests painful reflections. It is due to his memory to add, that he appears to have regretted the act as soon as it was performed. He wrote to England immediately afterwards, praying for leave to retire,—and was removed from Ireland during the course of the same month.

From Kildare and Carlow the insurrection spread into Wexford and Wicklow; it also broke out in Antrim and in Down; but it only proved formidable in Wexford. There, the towns of Wexford and Enniscorthy were captured and held

for three weeks, and several movements and engagements took place, in which the peasantry distinguished themselves by a wild spirit of bravery and some hardy fighting. Their efforts, when the disparity of the contending forces is examined, seem wonderful. They rose in the face of a numerous army, well trained, well appointed, commanded by experienced generals, and abundantly supplied with ammunition, food, and money. They were a raw, ill-armed, and irregular body, struggling to make head,—without officers or discipline, provisions, concert, or any plan of systematic operations ; and yet they were able to gain victories, and to occupy the field for a considerable time. The treatment to which they were subjected after their forces had been scattered, when the danger had ceased to be imminent, and, even at times and in places where no outbreak whatever had occurred, was marked by a wanton cruelty and unrelenting malice, which were disgraceful in the last degree, not only to the officers, magistrates, and men who committed, but to the government which tolerated them. The more the military proclamations of the period are examined, the more indignation will be excited, and censure justified. General Nugent commanding the northern troops, in June, 1798, concluded an address, in which he had called upon the insurgents to lay down their arms, with these sanguinary intimations:—

" Should the above injunctions not be complied with, Major-General Nugent will proceed to set fire to, and totally destroy the towns of Killeleah, Ballynahinch, Saintfield, Killinchy, and every cottage and farm-house in the vicinity of these places, and put every one to the sword who may be found in arms: it behoves all well-affected persons to exert themselves to have these terms complied with, as it is the only opportunity there will be of rescuing themselves and properties from the indiscriminate vengeance of an army necessarily let loose upon them."

This being the tone in which the insurgent districts were addressed, let us take a specimen of the language held in places where no rebels appeared. The following document was issued from the adjutant-general's office in Cork, during

the month of May, 1798:—"Whereas it has been reported to Lieutenant-General James Stuart, that in some parts of the county where it has been necessary to place troops at free quarters for the restoration of public tranquillity, that general subscriptions of money have been entered into by the inhabitants to purchase provisions for the troops, by which means, the end proposed, of making the burthen fall as much as possible upon the guilty is entirely defeated, by making it fall in a light proportion upon the whole, and thereby easing and protecting the guilty: it has been thought proper to direct, that wherever the practice has been adopted, or shall be attempted, the general officers commanding divisions of the southern district, shall immediately double, triple, and quadruple the number of soldiers so stationed, and shall send out regular foraging parties to provide provisions for the troops, in the quantities mentioned in the former notice, bearing date the 27th day of April, 1798; and that they shall move them from station to station, through the district or barony, until all arms are surrendered and tranquillity be perfectly restored, and until it is reported to the general officers, by the gentlemen holding landed property, and those who are employed in collecting the public revenue and tithes, that all rents, taxes, and tithes are completely paid up."

Innumerable tales of horror, and endless cases of outrage and crime are our evidences of the effects produced by the various proclamations from which these quotations have been made. The presence of a troop of soldiers appears to have been every where the signal for proceedings to which the history of Europe furnishes no parallel. These usually began with searches for arms, the employment of spies, the receipt of secret accusations, and arrests upon suspicion. Magistrates and military officers were instructed and authorized to take informations in private, to keep the names of the informers profoundly secret, and to proceed against the accused according to their discretion. Ignorant zeal, blundering loyalty, and religious bigotry, innocent fear, and mercenary vigilance, dissimulation in its worst forms, frauds of every kind,

wanton malice, private vengeance, and the whole host of bad passions were cast wildly over the face of the country, and allowed to riot in blood. Wherever an individual became obnoxious, soldiers were quartered upon him, and their numbers were proportioned to the extent of his imputed guilt or his means of supporting the imposition. When arms were found in a house, it was set on fire and reduced to ashes. Men were daily seized in numbers, and scourged, picketed, or otherwise tortured, to extort confessions of local combination or arms concealed. Persons imprisoned on private information were sometimes half hanged, or strangled almost to death, as tests of their guilt or innocence, when no trial or court martial could be held.* The disaffected were supposed to wear the hair cut short. From this fashion arose the nick-name of croppy, and a most barbarous practice. A peasant or tradesman caught near a barrack wearing short hair, was crowned with a cap of coarse linen or strong brown paper, besmeared with melting pitch on the inside. As soon as this adhered, it was pulled of, and the hair torn from the roots, and the skin barbarously lacerated. A sergeant was rewarded for a peculiar invention in the art of tormenting, with the sobriquet of Tom the Devil. This fellow used to cut the hair close to the roots, in the form of a cross, and filling the furrow with moistened gunpowder, set fire to the train, which, burning slowly, prolonged the torture to madness. There was also a particular company of fencible cavalry, who were familiarly denominated Lord Jocelyn's Foxhunters, from the rapidity and expertness with which they used to run down and sabre the flying peasantry.

The number and the notoriety of these outrages, and the absence of all effort upon the part of the government to restrain or discourage, would justify us in holding the ministers of this period responsible for their guilt. But we are not driven to charges of constructive participation in lawless

* One Hepenstall, a tall lieutenant of militia, was called the "Walking gallows," having repeatedly swung men from his shoulders as a substitute for the gallows.

cruelty and excessive oppression. There are cases of direct connection, and of positive approval of reward, and even of honours conferred, which bring the whole system, with its long train of sanguinary brutalities, home to the very door of the cabinet, and close to the touch of the officers who acted immediately under their orders.

Lord Clare admitted in the House of Lords a distinct charge of picketing, and thought it better that the victim, a blacksmith, should be thus tortured than that pikes should be manufactured for the peasantry. As if the law had not provided condign punishment for the offence, supposing it to have been really committed. Late in the month of May, and before any proclamation of the district had been made, Mr. Francis Arthur of Limerick, says Plowden, was apprehended in his own house by the recorder, under an order from General Morrison. All this gentleman's keys, papers, and property having been seized, and his wife and family expelled from his house, which was immediately filled with soldiers, he was himself led away by the sheriff, General Morrison, and a large party of horse and foot, and confined in a small garret. The weather was sultry, but he was refused permission to break a pane of the window for the admission of air. If he attempted to look out of it, the sentinel on guard had orders to fire upon him. He requested that Mr. Thwaytes, a medical gentleman on the staff, might be allowed to visit him, but this was refused. His wife sent her servant with some drink to him, the servant was recognized and severely beaten. While thus detained, without a warrant, and cruelly abused, a Colonel Cockell condescended to inform him that he was charged by a person who had never seen him; that it was uncertain whether he would be tried at Limerick or Dublin, but that certainly no counsel would be permitted to defend him. After languishing in his garret, attacked by illness, deprived of the use of pen, ink and paper, and all human intercourse but the periodical visits of his turnkey, for above three weeks, he received notice, on the 22nd of June, at nine o'clock at night, that he was to be tried for his life on the next morning. At that hour, for the first

time, the president informed Mr. Arthur, that he stood charged with having aided and assisted the rebellion—1st. By offering money for the use of Lord Edward Fitzgerald, after notice had been published of that nobleman's rebellious pursuits—2nd. employing one Higgins to raise men in the west—3rd. having firelocks and pikes concealed in hogsheads. The only witness brought to substantiate the first charge was William Maume, a convict, then under sentence of transportation for life for treasonable practices. The case for the prosecution having closed on a Saturday, the prisoner was ordered to prepare his defence by Monday, without being allowed in the intermediate time to speak or communicate with any human being, not even with the turnkey. On Sunday Colonel Cockell visited the garret, and rejected the prisoner's pressing entreaties for an extension of time, some facilities for procuring witnesses, and the aid of counsel. When the court reassembled, the convict Maume was called in, and the president, without any suggestion from the witness, announced that Maume was now cooler than he had before been, and would correct his previous evidence. But he prevaricated still more deeply respecting his knowledge of the prisoner. A letter written by himself having been produced, in which he acknowledged that he had never seen the gentleman in his life, he turned full of confusion to the president, and said, "You know, sir, that it was but lately that I gave information against Mr. Arthur, and that I did not wish to do it."

Notwithstanding the rigorous secrecy of the proceedings, Mrs. Arthur and her friends had obtained some material witnesses from Charleville and other places. These persons, in order to be ready to answer the call of the court, had engaged a room in the hotel, adjoining to the court-house. While thus awaiting the progress of the trial, a Protestant clergyman handed in a paper to the president, and the court declared that there was a revolutionary committee sitting in the adjoining tavern, and that the judge advocate should instantly take the parties into custody. Sentinels were accordingly placed in the front and rear of the house, with orders to let no one es-

cape. All the papers and written documents procured for the prisoner's defence, were seized and kept by the president. When the trial was over, the witnesses who had assembled at the tavern, and had not been examined, were called in and sharply rebuked by the president as a revolutionary committee. At nine o'clock that night, Colonel Cockell brought Mr. Arthur the following sentence of the court martial: "You are to be transported to Botany Bay for life, to be sent off to-morrow morning at six o'clock, and to pay a fine of £5,000 to the king forthwith, or your entire property will be confiscated."

After a thousand pounds, found in his house, had been seized, and his family had been compelled to make up the remainder of the fine, the lord lieutenant sent a peremptory order that the money should be repaid, and the prisoner allowed to go to Great Britain, or any other part of his majesty's dominions. The terms in which this news was communicated by Colonel Cockell, preserved the arbitrary character of the proceeding to its last stage: "You must go," said the colonel, "to your house in a hand-chair, with the curtain drawn about you. You are not to stir out of your house, and in twenty-four hours you are to quit Limerick." The only reparation obtained by this unfortunate gentleman for all this insult and suffering appears to have been the following short note, written by the under secretary of state:—

"SIR, "Castle, Oct. 10, 1798.

"I examined William Maume, whose evidence I am clear is false; he will be sent off and transported, and there cannot be any objection to your going whither you think most eligible. As far as I can give testimony to your character, I shall ever do it by saying that I think it by no means implicated by any thing asserted by Maume; and I certainly never heard any aspersion upon you from any one else.

"I am, &c.,

"To Francis Arthur, Esq. "E. COOKE."

During the autumn of the same year a court martial, of which the earl of Enniskillen was president, sat to try Hugh Wollaghan, a yeoman, for the murder of Thomas Dogherty. The charge was proved with every aggravating circumstance.

No attempt was made to contradict any part of the evidence, but a justification was set up,—that the murder had been committed by an order from the commanding officer, to the effect, that if the yeomen should meet, while patroling the country, with any whom they knew or suspected to be rebels, they were to shoot them on the spot; and that it was almost the daily practice of the corps to go out upon scouring parties, and to act upon this order. The fact was confirmed by one private, one serjeant, and two lieutenants of yeomanry, and the prisoner was acquitted.

The following letter shows that in this instance the Marquis Cornwallis, who succeeded Earl Camden as viceroy in June 1798, behaved in a manner worthy of his position.

"SIR, "Dublin Castle, 18th Oct. 1798.

"Having laid before the lord lieutenant the proceedings of a general court martial held by your orders, in Dublin Barracks, on Saturday, the 13th instant, of which colonel the earl of Enniskillen is president, I am directed to acquaint you, that his excellency entirely disapproves of the sentence of the above court martial, acquitting Hugh Wollaghan of a cruel and deliberate murder, of which, by the clearest evidence, he appears to have been guilty.

"Lord Cornwallis orders the court martial to be immediately dissolved, and directs that Hugh Wollaghan shall be dismissed from the corps of yeomanry in which he served, and that he shall not be received into any other corps of yeomanry in this kingdom.

"His excellency further desires, that the above may be read to the president and members of the court martial in open court.

"I have the honour to be, Sir,

"Your most obedient humble servant,

"H. TAYLOR, Sec."

"To Lieut.-Gen. Craig, &c. &c."

"P. S.—I am also directed, that a new court martial may be immediately convened, for the trial of such prisoners as may be brought before them; and that none of the officers who sat upon Hugh Wollaghan be admitted as members."

There were, however, numerous cases in which the government marked the lawless tyranny of its officers with their special approbation. Amongst the monsters of this period was John Judkin Fitzgerald, sheriff of the county of Tip-

perary. It appeared, on a trial for damages, at Clonmel assizes, that a respectable woollen manufacturer, of the name of Doyle, had been seized by this Fitzgerald in the street, at Carrick-on-Suir, in the same county, and flogged. In vain did the victim urge his innocence,—in vain did some of the most respectable inhabitants of the place bear their testimony to the excellent character he had always borne,—in vain was the most searching inquiry into his conduct invited, and bail offered to any amount for his appearance. "No," said the sheriff; "I know by his face that he is a traitor, a Carmelite scoundrel:" and accordingly the unfortunate man was tied to the whipping-post: he received one hundred lashes, till his ribs appeared; his breeches were then let down, and fifty more lashes given on his posteriors. This man's innocence was afterwards established: he applied to a court of law for redress: the action was tried, the facts were fully proved, and the defendant was acquitted.

Another revolting act of barbarity is related of Fitzgerald by Plowden, from whose faithful pages the preceding cases have been condensed.

A Mr. Wright was employed as a teacher of the French language by several boarding-schools and families of respectability in the neighbourhood of Clonmel. Having heard that some charges of a seditious tendency had been made against him, he went to the house of Fitzgerald for the purpose of satisfying his mind. When he was shown in, Fitzgerald drawing his sword, said, "Down on your knees, you rebellious scoundrel, and receive your sentence," which was first to be flogged, and then shot. The unfortunate man gave up his keys that his papers might be searched, and expressed his readiness to suffer any punishment which the proof of guilt could justify. "What, you Carmelite rascal," exclaimed Fitzgerald, "do you dare speak after sentence?" As he said this, he struck his victim, and ordered him to prison. The next day, Wright being brought forth to undergo his sentence, and conceiving his life in danger, knelt down to pray, and, while thus engaged, held his hat before his face. Fitz-

gerald snatched his hat from him, and trampling on it, seized him by the hair, dragged him to the earth, kicked him, and cut him across the forehead with his sword. He then ordered him to be stripped naked, to be tied up to a ladder, and to receive fifty lashes. Major Rial, an officer in the town, came up as the fifty lashes were completed, and asked the cause of the punishment. Fitzgerald handed him a note, written in French, saying that he did not himself understand the language, but that the major would find enough to justify any man in flogging the scoundrel to death. Major Rial read the note, which was directed to Wright, and which he thus translated for Fitzgerald:—

"SIR,—I am extremely sorry I cannot wait on you at the hour appointed, being unavoidably obliged to attend Sir Laurence Parsons.

"Yours,

"BARON DE CLUES."

Notwithstanding this, and as if to show that the severity of his punishments was apportioned to the groundlessness of his suspicions, Fitzgerald ordered fifty more lashes, which were inflicted with so much violence that the bowels could be perceived working through the wounds. As the application of his cat-o'-nine-tails could not be continued on that part without cutting into the body, the waist-band of the breeches was opened, and fifty more lashes were laid on lower down. This done, the unfortunate man was left bleeding and suspended from the ladder, while Fitzgerald, hurrying to the barrack, demanded a file of soldiers to come and shoot him. The commanding officer refused the application, upon which Fitzgerald returned and sought for a rope to hang him, but he could not procure one. Finding it impossible to carry the torture further, he ordered Wright, at length, to be cut down and sent back to prison, where he was confined in a small dark unfurnished room, and lay on a wretched pallet of straw, without covering, and without medical assistance, six or seven days.

These scenes should be painted in every account of the period in their true colours; not alone because they furnish the proper illustrations of the "reign of terror" which was

now maintained; but also because, when fully examined, they will be found to involve irresistible evidence of the complicity of the government in the full measure of these frightful enormities. For instance—this Fitzgerald, for his services as sheriff of the county of Tipperary, was created a baronet, and rewarded with a pension.

The circumstances connected with the close of the insurrection in Wexford, were marked in the strongest manner by want of faith, by dishonour, and cruelty upon the part of the government. Amongst the few persons of rank taken by the insurgents was Lord Kingsborough. When the approach of the royal army to Vinegar Hill had weakened the force of their opponents in the town of Wexford, the inhabitants repaired to Lord Kingsborough, and offered to give him possession of the place, and to procure the submission of the armed peasantry in the neighbourhood, provided security for life and property was promised to all but murderers. Lord Kingsborough accepted these conditions, and received possession of the town; while the insurgents, apprised of the convention, and, relying upon its fulfilment, withdrew to their camp and prepared to disperse. But no sooner did the troops of the implacable Lake find the insurgent army beaten and the town of Wexford recovered, than they rushed over the country, committing every crime to which lust, rapine, revenge, and the thirst for blood could impel human nature. In the towns, the insurgent leaders and all connected with them, or implicated in the late events, were seized upon, notwithstanding the Kingsborough convention, and after having been exposed to revolting indignities, were summarily punished by courts-martial. Lord Kingsborough himself sat on these tribunals, and the government adopted, and the parliament sanctioned their proceedings by passing acts of attainder and forfeiture against the men who were executed under their sentence.

Extreme cruelty and cowardice are generally found together. A memorable instance of this close alliance was given at the end of the rebellion. The disturbances had all been put down [illegible] General Humbert landed in Killala Bay, with a forlorn

hope of 1,100 Frenchmen and one curricle gun. Lake, the general who has been already mentioned, had an army of 4,000 men and 14 pieces of cannon, to oppose this force; yet he fled before it almost without firing a shot. It required a month's preparation and manœuvring, the presence of the conqueror of Tippoo Saib, and an army of nearly 30,000, to compel General Humbert and his handful of Frenchmen to surrender.

It will now be proper to review the conduct of the other party. The insurgents dealt back upon the military, magistrates, and yeomanry engaged against them, a dreadful measure of revenge. They were neither so refined nor so hardened in their cruelties as their opponents; they never imitated the base example set them by the foreign mercenaries who darkened the land, of rape, robbery, and plunder; but their courage in the field was ferocious, and they displayed on all occasions a wild excitement and appalling exultation in the shedding of blood. They killed fiercely but they did not torture. It was their custom when they met with cases such as they knew would have been visited with the triangle and the pitch cap, on the other side, to crop the obnoxious person's hair, and so to mark him as one who deserved the pains which they scorned to inflict. If it had not been for this natural repugnance to deliberate cruelty in the Irish character,—for an instinctive susceptibility in it of tender and generous emotions,—and also for the highminded repudiation of persecution, upon the part of the first leaders of the United Irishmen, the war of the peasantry must have been equally demoralised by predatory licentiousness and unbounded malice. With regard to those leaders, it is particularly observable that they offered in the excellence of their private characters, the strongest evidence of being actuated on this occasion by principle: in point of personal virtue as well as ability, they are entitled to high praise. Perhaps if they had prepared their revolution with less moderation and more indifference to the object which they had in view, the result would have been more formidable than it actually proved. Southey—he was not then poet

laureate—made an observation upon the execution of the brothers, Sheares, which suggests strange reflections :—"The Irish business has been a counterpart to the death of the Girondists; yet who would not be content so to die, in order so to have lived?"

Amongst the evidences adduced to show that the men who headed the peasantry when they first rose in the county of Kildare, were not prepared to act upon the rules of honourable war, is the confession of the prisoners taken at Naas—a confession confirmed by written papers found in the pockets of the killed and wounded—that the orders of the day were to put to death every officer, and to disarm every common soldier who would not instantly join in the insurrection. These indefensible instructions, providentially, failed of their effect at Naas; but they succeeded too fatally at Prosperous, and other places, where the government, though forewarned of the attack, neglected to prepare their men for it.

Much stress had been laid upon a proclamation found in the house of John Sheares, and intended to be used when the movement took its course. But the same attention has not been paid by all writers to the well ascertained rules by which Dr. M'Nevin, Mr. Emmet, and the members of the first directory had determined to govern their conduct. It was a settled point with that party to discourage bloodshed by all the means in their power. They held, that for every prisoner who should lose his life they would lose an hostage. Any one who would not submit to their government, and who was considered valueless as an hostage, was to be sent out of the country unhurt; wives, and such children as were under the age of discretion, were to be maintained out of the estates of their husbands and fathers. These two claims being allowed in every case, the remaining property was to be confiscated to national uses. The first directory evidently sought to rely not on the Irish alone, but upon the succour and the strength which an invasion, sooner or later to take place, would bring. Thus animated, they laboured to repress, as far as they could, the forward spirit of insurrection, trusting

to augmented resources and a riper case. But when the members of the first directory were arrested, March 12, 1798, other men were introduced, who, being irritated at the danger in which their predecessors stood, or more sanguine of success, agreed to bring the conspiracy to a summary issue, and begin the long threatened struggle with a notice that "many tyrants had bled, and more must bleed."

All the massacres at Wexford were terrific. Some of the worst of them were the work of a fiend named Dixon, who was the captain of a trading vessel then lying in the harbour. When the peasantry first poured into the town, numbers fled to sea. Dixon was the first to re-land the fugitives he had received, and on these (particularly ladies) he vented a brutal ferocity. Returning himself ashore at the same time, he was made a captain in the rebel army. His influence being thus increased, and his means of exciting the rabble extended, he was joined by his wife, a monster as inhuman as himself. She had purloined, says Plowden, two fire-screens with emblematical figures, from the drawing-room of Mr. Le Hunte, four miles from Wexford. Dixon informed the mob that this room had been a meeting place for Orangemen, and that the figures denoted the manner in which the Roman Catholics were to be put to death:—they were to be first deprived of sight, and then burnt alive: not even children were excepted. Wexford being a sea-port, appropriate horrors were reserved for Roman Catholic seamen—they were to be roasted to death on red hot anchors. Upon the publication of this wanton fabrication, Mr. Le Hunte, who had hitherto been permitted to remain quietly in a private house in the town, was dragged into the street by the rabble, who would soon have torn him to pieces, had he not been saved by the exertions of two Catholic gentlemen, who prudently insisting that he should be immediately brought to trial, hurried him to prison, and parried, on the way, the thrusts of the pikes which were aimed at his life, two of which, in spite of their endeavours, wounded him slightly in the back.

It appears from the same authority, that when Wexford

fell into the hands of the rebels, the number of resident Protestants did not consist merely of the inhabitants of that town and its environs, but of many refugees and prisoners from more distant parts of the country. About two hundred and sixty of these were secured in the gaol and other places of confinement, while some were kept in their own houses; but the dread of massacre fell indiscriminately upon them all. On the 5th of June, ten prisoners at Wexford were selected for execution, under an order from Enniscorthy, and suffered accordingly. The limitation of the victims to half a score, under this order, was made upon the principle of retaliation: the insurgents who gave it, having received information that a similar number of their people had suffered in like manner on the preceding day. A general slaughter of the prisoners was twice attempted by the sanguinary Dixon, at the head of bands of peasants: but he was bravely resisted, first by one Hore, a butcher, and next by one Scallion, a nautical trader—the former with a sword, the latter with a pistol, defying him to single combat, and insisting that he must approve his own courage, before he could be allowed to put defenceless men to death.

This Dixon sometimes displayed art in his barbarity. He had a relative, a Roman Catholic priest, who, having been ordered for transportation, was sent to Dungannon Fort the day preceding the insurrection: he had been found guilty, on the testimony of one Francis Murphy, whose evidence had been positively contradicted by three other witnesses. Under these circumstances, Dixon took a summary mode of avenging the fate of his kinsman, who was generally beloved. He brought Murphy out of gaol, upon his own sole authority, conducted him down to a spot called the Bull-ring, in Wexford, and compelled three revenue officers, who were then prisoners, and whom be brought out at the same time, to shoot him, and afterwards to bear his body to the quay and throw it into the water. This execution took place with all its [illegible]aring circumstances, during the hours of public prayer, [illegible] was utterly unknown to the principal inhabitants. The

most diabolical feat performed by this wretch was the immolation, in one day, of thirty-five persons, on the bridge of Wexford, whom he deliberately killed in batches of fifteen, one after the other. He commenced the butchery at two o'clock in the afternoon, and continued it without interruption until seven in the evening, when a Roman Catholic clergyman humanely interfered. By calling, in an authoritative tone, upon the firing party to pray before they proceeded further, that gentleman brought them to their knees, and then dictating the natural prayer that God might show to them such mercy in their extremity as they should now show to the remaining prisoners, stopped the further effusion of blood.

It seems impossible to exhaust the store of enormous crimes accumulated on both sides. Thus we find the yeomen at Carnew marching twenty-eight prisoners out of their place of confinement, and shooting them without trial in a ball-alley. The same process is repeated at Dunlavin, where a fusillade of thirty-four men took place, including the informer, upon whose evidence they had been arrested. Some runaways from the battle of Ross, pretending to retaliate these horrors, surrounded the house and barn of Mr. King, at Scullabogue, in which a number of loyalists and respectable Roman Catholics were detained as hostages. Thirty-seven persons in the house were shot, and one hundred in the barn were burned to ashes! Soon after this a house, used as an hospital by the insurgents, was entered by a party of troops, who, beginning to fire upon the sick and wounded in their beds, set their clothes on fire with the wadding, and wrapped the building in flames, which consumed every patient within its walls.*

* A remarkable estimate of the general effects produced by the rebellion appears in O'Driscol's "Views of Ireland," vol. II. p. 220:—

"The rebellion was of use (for the worst things have their use) to exhibit and certainly to raise very high the character of the lower Irish. It threw back the cloud which a barbarous system of policy had spread over the moral powers and qualities of the people, and showed them undoubtedly in all their wildness, but also in all their original brightness. The high mindedness of the peasantry, their heroism in the field, their fidelity, which no species of torture (and all were tried) could shake,

It has been computed that the rebellion of 1798 occasioned the loss of 20,000 lives upon the side of the royalists; of 50,000 lives amongst the insurgents; and the destruction of property worth three millions sterling. Not a few writers

which no blandishments could seduce; the terrors of solitary confinement, whipping even to lay bare the bones of the breathing skeleton, strangling, mutilation, the pitch-cap, picketing; death, direct and awful, with or without torture, suffered in the reflected agony of crowds, or solitary and without sympathy, or meeting, in the last convulsions of the departing spirit, scorn and brutal derision;—all this, and more than all this, was endured, was submitted to voluntarily by thousands, with a calm and composed resolution, when a word might have changed the scene, and presented to these poor victims, not death and scorn, and unutterable sufferings, but life and safety, and patronage, and rich reward. Never were we prouder of our native land, than in considering this amazing faithfulness, in a countless multitude of poor deluded people, in the cause which they believed to be that of their country. To betray only the name of one of their associates was life, and all that could make life desirable—to be silent was death, accompanied with whatever makes death most terrible: and the untutored peasant resolutely died. In the enduring fortitude that scorned complaint,—in the tranquil magnanimity of his death,—he would have shed a lustre upon the cause for which he suffered, more bright than the splendour of a thousand victories, if that cause had been without objection.

"It is some consolation, that all this prodigality of fine feeling and steadfast principle, and firm unflinching purpose,—all this lamentable waste of life and shedding of human blood, was not wholly in vain. Since the day of the treaty of Limerick, and the infraction of that treaty, the people had been so trampled upon, and abused with such impunity, that they began to consider themselves as something below human nature; and their oppressors became convinced of it: but when at length the wild and mighty power of the people broke from its chain, in all its savageness and grandeur; displaying itself in the field in feats of courage almost sublime, and assuming on the scaffold a still loftier dignity; their enemies were astonished, and could not refuse their admiration: neither could they avoid feeling that such a people were not to be abused with impunity. The peasantry conquered at length the respect which was their due; and in putting forth those high moral and physical powers, which had surprised their adversaries by their unexpected splendour, they had learned also to feel and to understand somewhat of their own importance. They discerned in their sufferings what they were able to endure, and in their very defeats they acquired a consciousness of strength, from which they derived a portion of self-esteem they had never yet enjoyed since days long past. Upon these circumstances, upon this feeling, they founded claims to a new consideration,—claims which have been tacitly though reluctantly admitted and established for ever. These are no inconsiderable advantages; and those who can recollect the contempt with which the peasantry of Ireland were regarded by the gentry previous to the year 1798, and the mischiefs which flowed from this unnatural scorn, will readily admit the change which has taken place, and know how to estimate its importance."

would hold the government directly responsible for this great waste of human blood and capital, and by tracing the hands of the minister busily employed throughout the different stages of the work, do not hesitate to charge him with a guilty participation in all the crimes which it covers and embraces. They go farther, and state that the whole was the result of design, and a means to an end: such an insurrection as that of 1798, they tell us, was necessary to produce the legislative union in 1800.

There is no period of Irish history more prolific of suspicious incidents and matter for grave accusations. It is certainly not a matter of charge against the government that vigorous measures were taken to insure the public safety, when it was threatened with danger, and that the arm of the executive was strengthened in the hour of peril; nor is it a charge that property and life received the protection of the extraordinary safe-guards which it was thought prudent to throw around them; and still less is it a charge that offences were severely punished when they were detected. But it is matter of grave charge that a popular ferment was for a series of years neither allayed nor overpowered;—that although forewarned of the existence of a formidable conspiracy, the ministers, English and Irish, suffered the preconcerted scheme to proceed in secret,—to bring its humours to a head, to ripen, and break out into extremities, with scarcely an act of prevention, denunciation, or interference upon their parts. It is also a grave charge that the lord chancellor of Ireland should have remonstrated ineffectually with his colleagues for the term of three years against the notorious treason of these practices, and that the secretary should have allowed Lord Edward Fitzgerald to be at large for three months after his objects had been divulged by the spy who was hired to betray him. Still more is it a charge against them, that when having bided their time, having seen the whole kingdom become convulsed, and the lower orders every where unlawfully banded together and sworn to violence—and having, at last, resolved to defy the monster whose birth and growth they had carefully

watched, they abandoned all the forms and principles of civil law—never tempered justice with mercy, or punishment with policy; but let slip a vindictive array of ill-disciplined soldiers and armed civilians, who disgraced the honour of war, and produced almost in every rank and file a public executioner and a slaughterer in cold blood.

The difficult office of mitigating by degrees the Irish "reign of terror," was entrusted, in the month of June, 1798, to the Marquis Cornwallis, a nobleman who obtained general praise for the manner in which he fulfilled his instructions. Quiet had scarcely been restored, and the different ranks of the people had barely laid aside their arms, and returned to the homely cares of industry, when the legislative union was proposed and pressed forward with determined spirit. The moment was certainly, in some respects, not an inauspicious one for the purpose, and the manner in which various facts and arguments were applied in its favour displayed ability of a high order, and the most unscrupulous dexterity. For years the Irish parliament had been the submissive instrument of corruption and misgovernment. Waiting at the English minister's table, like an overfed menial, and proud of the hand that pampered, it had ever been ready to act the part of a pimp or bully, as the pleasure of its master directed. The minister now turned upon his creature, and tearing aside the last flimsy rag by which it vainly attempted to conceal its debasement; he enlarged upon its cupidity and foulness; painted in the blackest colours its notorious character; summed up its numerous misdeeds and its continual crimes; described the inveterate depravity of its constitution, and pronouncing such a complication of disorders beyond the reach of art, he appealed to the country to preserve no longer the existence of a guilty and wretched thing, impossible to reclaim, and sure to circulate contagion and reproduce ruin, the longer it was allowed to live.

There was great ingratitude, but also great truth in all this. The Irish parliament answered, in too many respects, the picture drawn by a master hand; the prostitution had been so

continual and indecent; the falling into the arms of the seducer had been so often repeated, and upon the slightest invitation, that the case was felt to be desperate almost as soon as it was opened.

The parliament certainly had no party in the country when its destruction was proposed. The friends of Irish independence and all those who desired to correct the manifold abuses included under the various heads of parliamentary reform, the penal laws, tithes, and agrarian distresses, found in the Irish parliament an insuperable bar to the attainment of their wishes and the progress of improvement. In their eyes, that body still remained what it always had been—the engine of a faction—of the landed oligarchy—the parent and sustainer of all the monopolies and abuses by which the country had become depressed and weakened. The struggle between the ministry and the parliament might be mortal, but the people were unconcerned in the issue, and disinclined to interfere. They owed nothing to the latter, and hoped nothing from it; they reflected that if ever it had moved in accordance with their wishes, or had promoted in any degree their interests, the permission from England had always been an indispensable preliminary to concession; and knowing that the measure of every good depended upon the extent of the support that could be found for it in a small circle in London, they seemed to feel no decided objection to a change which could hardly add to their misfortunes, and which presented, at least, one certain advantage—the merit of simplifying the complicated machinery of a mode of government which had effected little or no good.

But if there were men who took this view of the union, there were others who looked upon it in a very different light, and were inspired to pursue a course upon the occasion marked by strength, dignity, and eminent natural powers with which they were individually and collectively endowed. From the very ranks which had produced the most energetic denouncers of the profligacy of the Irish parliament, and the most resolute detectors of its guilt, there

now stood forward the ablest maintainers of its rights, and the most courageous assertors of its inherent capability to meet, if fairly dealt with, all the public wants, and to satisfy all the demands and expectations of sincere patriotism. It was the opinion of this section of the anti-unionists not only that a reform of the House of Commons would answer all the constitutional exigencies of the case, but that the Irish possessed an inalienable right to legislate for themselves, which they could neither surrender voluntarily, nor allow another nation to take away. Love of country, the pride of independence, the distinction and profits of self-government and separate establishments,—these and other kindred sentiments and feelings were eloquently descanted upon, and soon rallied a formidable opposition to the proposed measure. The party of the patriots—they at last deserved the name—for there were amongst them high-minded and disinterested leaders, who were straining all their might to preserve the last vestige of nationality,—rejoiced to find the multitude flocking round their standard with loud acclamations. They met with not a few potent allies and cordial supporters in the ranks of those who had hitherto been their strenuous antagonists. For amongst the maintainers of the old system,—amongst the families who had acquired place and property, rank, titles, command and influence, as patrons, managers, and undertakers of the local government,—there were some who foresaw, in the loss of the parliament, the loss of their own greatness, —the removal for ever of all occasions and opportunities for those convenient and profitable services by which their fortunes had been raised and their ambition had been gratified. These men hastened to make common cause with the patriots and anti-unionists; they possessed talent, address, and station; and they brought their united weight to bear upon the public mind, with all the art, energy, and effect which the dictates of invaded self-interest could marshal for the struggle. Mr. Foster, speaker of the House of Commons, particularly distinguished himself in this section of the anti-unionists. His knowledge of Irish affairs, and his experience as a public

man, were set off and enhanced by natural abilities and many personal accomplishments. To these advantages was superadded the consideration, not improperly due to a certain degree of politic moderation by which his career had been tempered, and some display of dignity in his seat of office. His intimate connection with the privy council had identified him with the horrors of the rebellion, and heaped a load of obloquy and hatred upon his name; but when he descended from the chair of the House of Commons, and delivered a speech, eloquent, argumentative, and stored with facts, against the Union, he rose to the highest pitch of popular regard, and divided for a while the public admiration and gratitude with even the great genius of the epoch,—Henry Grattan himself.

By these united forces,—by the popular enthusiasm,—the energy of the old opposition and the resentment of the aristocracy, who could not refuse to feel for the country, when their own privileges were put in peril,—the first proposals made for a legislative Union were defeated. There were two debates and two divisions upon the subject at the very beginning of the session in 1799; and the minister was in a majority of one upon the first occasion, and in a minority of five upon the second.

One of those hearty and astounding out-pourings of general joy was now indulged, for which the vivacity of Irish feeling is famous. But the transports of the people were short-lived. While the Irish parliament buoyed up by the cheers of all classes of their fellow-countrymen, had been indignantly repudiating the Union propositions, the English parliament had adopted them by an overwhelming majority. Undoubtedly his repulse in Ireland took the minister by surprise, but it did not long embarrass him nor retard his proceedings. The character of the body with which he had to deal was too notorious to render the task of making it completely subservient to his purposes either doubtful or arduous. He well knew that the only point to be settled was the extent of the corruption requisite to ensure success, and it would seem as if he cleared that difficulty at a bound by issuing an unlimited order to satisfy

all demands and expectations however exorbitant and extravagant. Bribes were lavished with profusion in all directions and under every possible form. There was no art by which converts could be brought round and hostility appeased, that was not put into active requisition and diligently exercised. The hopes held out and the promises made, included all that could give the nation wealth and content; no man who would listen to the minister, was allowed to believe that the interest to which he was most attached, or the cause which he esteemed most highly, could receive from the change anything but increased strength and security. The Protestant Church, with its property and pre-eminence, was to be placed on a stronger and more enduring foundation than it had ever before occupied; and the Roman Catholics were to receive from the parliament of the United Kingdom, the rights which had hitherto been refused by the separate legislature of their own country.* The apparent inconsistency of these different undertakings may have struck a few thoughtful minds, but it passed without comment or reclamation. Some bowed to the coming event as to the doom of fate; others recognised the heavy retribution of justice overdue, but the majority hailed in it the magic of an irresistible enchanter, who captivated his victims with a shower of gold, and a pageant of starry honours.

The Irish parliament was assembled for the last time, January 15, 1800, and upon the same day a majority of 42 in favour of the Union, bore decisive testimony to the approaching triumph of the minister and his measure. It was a moment of deep excitement—a scene of melancholy interest. In the midst of the debate, Grattan, who had retired from the public service, re-entered the house resolved to lift once more

* Mr. Pitt's subsequent resignation of his office, because he found "insurmountable obstacles to the bringing forward of measures of concession to the Catholic body," proved that an unequivocal arrangement had been privately entered into at this crisis. His resumption of office again without redeeming his pledge, only confirmed the impression produced by his conduct on more occasions than one; and established the conviction that the policy of his government in Ireland was regulated not by the unerring rule of principle, but by a convenient sense of expediency.

in the hall, already sacred to his genius, that voice which had raised the oratory of Ireland to the immortal standard of antient Greece and Rome. He was admirably supported. Sentiments more noble,—a passion more pure and patriotic,—principles more enlightened and profound,—more consummate art, and a power of expression more accomplished, affecting, and sublime, were never delivered in a deliberative assembly; but all was vain. The citadel was undermined, and the brilliancy of this display only served to make the crumbling ruin more painfully distinct. It showed the impossibility of preserving an institution which support and succour so strong and splendid could not avail to maintain. With the Irish parliament Irish independence ceased to exist, and it only remained for Grattan by whose genius it had been occasionally vivified to lament its extinction in words of mournful beauty: "I watched at its cradle and followed its hearse."

It will suffice to enumerate here some of the principal means employed to accomplish this great end. Twenty-six new peers were created on the occasion, and twenty old peers advanced to higher titles. Besides nearly one quarter of a million voted by way of damages to persons who had suffered losses in the rebellion, but which, as the payment was left to depend on the good will of commissioners appointed by government, was regarded as a largess to their party, half a million was dedicated to the improvement of inland communication by the means of canals; and nearly one million and a half sterling was given as compensation to the patrons of disfranchised towns and boroughs, as well as to certain holders of public offices whose duties were now dispensed with, and whose profits, as they affirmed themselves, were likely to be diminished by the suppression of the local parliament. Amongst these, was Mr. Foster, the speaker, who was pacified after a strenuous opposition. He consented to surrender quietly upon an annual pension of upwards of £5,000, and a title. Lord Clare who had supported the measure consistently throughout, received a pension of £4,000, which was to be made £5,000 whenever he should resign the great seal. He was also created an earl of the

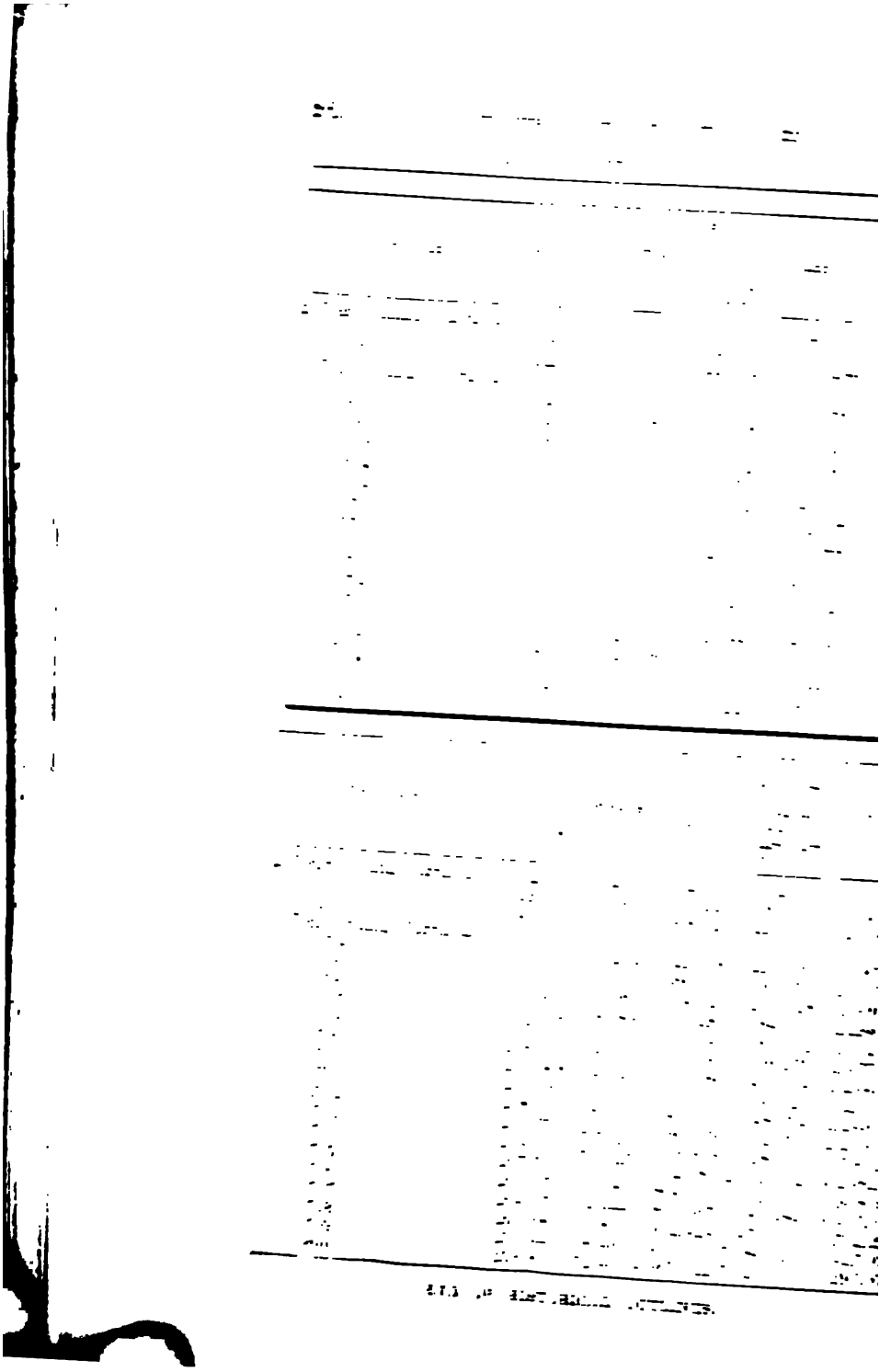
United Kingdom. That Mr. Foster's pension was a bribe, and Lord Clare's an illegitimate recompense, will be felt by those who bear in mind that the retiring allowances of the English lord high chancellor and the speaker amount to no more than £4,000 a year.

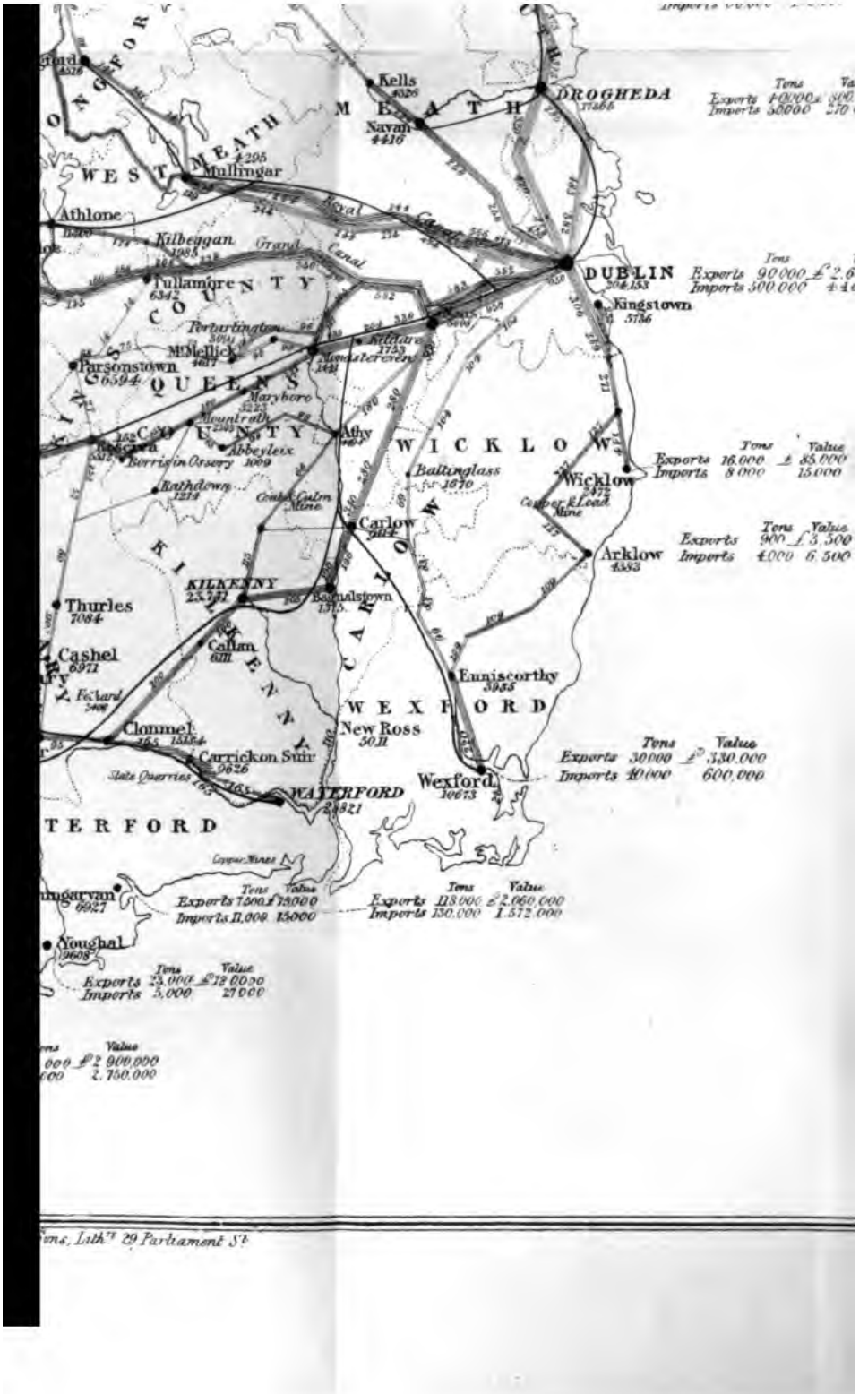
The presence of many radical imperfections appears to be an inalienable property of all Irish measures of improvement. The legislative Union was not exempt from the common fate. An organic change of the greatest magnitude was introduced, unaccompanied by the lesser modifications which were indispensable to its fair and successful action. The design was full of merit, and the execution full of defects. These were quickly detected and strongly exposed. The several articles professing equal terms and principles of government for both countries were denounced, and not without reason, as a specific enumeration of the distinct interests which were to be preserved in each of them for the future. Amongst the more prominent inequalities, stress was laid with much bitterness upon the fact that Great Britain was to retain her Houses of Parliament undiminished, while two-fifteenths of the Irish peers and two-thirds of the Irish House of Commons were for ever extinguished.* The complete and entire union left separate treasuries, exchequers, and different interests in each—separate proportions of expence, separate modes and laws of taxation, separate national debts, and separate sinking funds. Not only in taxes and in revenue, but in trade and manufactures, distinct interests were continued. In corn, the great necessary of life, the project that was to identify and consolidate, retained prohibitions and bounties. The Irish peerage, instead of being placed on a level with the English, was kept a distinct body, and degraded like the Scotch into an inferior order of nobility. In law and in the administration of justice further distinctions were preserved. The Catholics were

* See "Lords' Protest against the Union," signed Leinster, Arran, Mountcashel, Farnham, Belmore, Massey, Strangford, Granard, Ludlow, Moira, R. Waterford and Lismore, Powerscourt, De Vesci, Charlemont, Kingston, Riversdale, Meath, Lismore, Sunderlin. See, also, "Commons Motion for an Address to the Crown," June 6th, 1800.

secretly promised their rights—a promise not kept for nine and twenty years. To sum up the anomalies by naming the most noxious of all: this portion of the United Empire was not only to retain monetary, fiscal and commercial regulations of its own—and these and its weights and measures were to be less convenient than those used in Great Britain—but it was to be governed like a province, by a viceroy and a distinct set of ministers; by which means the old arts of corruption were preserved and the landed oligarchy were still enabled to practise the abuses in which they so fearfully excelled. If we would account for the dissatisfaction and complaints of the Irish, we should couple the length of time that has elapsed since the Union was carried, as the sure means of perfectly consolidating the affairs of the two islands, with the detailed manner in which that measure has been put into operation,—and we should inquire carefully after the official establishments which still remain, either as the memorials of a past independent condition or as the supports of existing divisions. For until the whole plan has been fully accomplished, and the test of experience has been brought to bear upon its perfect action, we are but trying an experiment, and are inflicting an injury upon the one country as well as the other.

Having brought these "Outlines of the History of the Connection between England and Ireland" to a close, it may not be amiss to copy from "Newenham's View of Ireland," the public income, expenditure, and debt of the country from the year 1783, which immediately followed the date of the shortlived independence of the Irish parliament, to the year 1800, when it ceased to exist. The figures tell a clear story. In the progressive increase of all the branches of revenue, we see the plain evidence of developed resources and augmented wealth; but in the heavy additions made to the expenditure in the ever growing amount of the pension list, in the vast military establishment, and the enormous accumulation of the national debt, we behold the sad proofs of obstinate misgovernment, and the total failure of the system that produced such results.





ens, Lith^a 29 Parliament St

CHAPTER XIV.

PUBLIC WORKS AND JOINT-STOCK ENTERPRISES.

INTRODUCTION.—GENERAL PRINCIPLES.—THE GOVERNMENT SYSTEM, AND THE ARGUMENTS UPON WHICH IT IS BASED.—NATURE OF THE EVILS IT HAS PRODUCED.—NUMBER, HISTORY, AND STATISTICS OF THE JOINT-STOCK COMPANIES MAINTAINING PUBLIC WORKS.—GRANTS AND LOANS OF MONEY TO AID THEM.—OFFICIAL BOARDS APPOINTED TO DIRECT AND CONTROL THEM.—DIRECTORS GENERAL OF INLAND NAVIGATION.—COMMISSIONERS OF PUBLIC WORKS.—PROGRESS OF TRAVELLING.—RAILWAYS.—GENERAL PROSPECTS.

"The Statesman who should attempt to direct private people in what manner they ought to employ their capitals, would not only load himself with a most unnecessary attention, but assume an authority which could be safely trusted, not only to no single person, but to no council or senate whatever, and which would no where be so dangerous as in the hands of a man who had folly and presumption enough to fancy himself fit to exercise it."—WEALTH OF NATIONS, Book IV., Chap. ii.

THE progress of modern civilization has been mainly expedited by three great moving powers—the sword, the gospel, and municipal corporations. Each of these has had its critical stage, and all three are at this moment less effective than they have hitherto been in directing the course, and influencing the good or evil of passing events. The sword established fiefs and feudal dominion;—the barbarous excesses of this form of arbitrary power were tempered first, and gradually subdued by the gospel. But from the gospel sprung the church, which, becoming despotic and martial in its turn, exacted from its vassals military service, as well as ecclesiastical duty and pecuniary tribute. Against the rapid advancement of these two interests,—against the lord of the soil and the ruler of the conscience;—against the harsh prince, who sometimes made but oftener marred the happiness of mankind

in this world, and the unctious prelate who dispensed happiness in the world to come,—the merchant, tradesman and mechanic erected, with indescribable perseverance and indomitable spirit, a sufficient barrier, and saved their common labour and its profits from being despoiled by the feudal chief, and the bishop possessed of feudal rights. Rallying energetically together, and assigning to each other their respective ranks and rights, the early municipal corporations raised a bulwark which resisted the combined assaults of every form of tyranny —royal, noble, ecclesiastical and military,—and which survived the desperate shocks and the incessant wear and tear of centuries of oppression and change. The success with which this effort was crowned, rendered these institutions not merely the centres and supports of political liberty, but the mainsprings of local improvement, the examples and incentives of adventurous enterprise and prosperous confederation. They proved the cradles of industry, the homes of the arts, the strongholds of wealth; and they taught mankind almost in every instance, that the true levers and steadiest producers of independence and fortune are the resolute and untiring reliance of every man upon his own exertions, or, where separate action is inadequate, the junction of all to effect for the general good what the hands of an individual are too weak to accomplish. The force of this truth led to the discovery of another,—that the progress of improvement, to be legitimate and enduring, should invariably be the work of the people, and never be solicited as a boon, or accepted as a reward from the government.

In Ireland modern civilization advanced at a pace and in a manner different from those which marked or shaped its course in the other countries of Europe. The modification of the feudal system imposed upon Ireland rose to a greater height, and endured to a later date, than any other known to western Europe. Monarchy was firmly established, and the forms of civil government were broadly defined in England, France, Spain, the Netherlands and Italy, when the house of Desmond waged the feudal war with Elizabeth, in which the head of that potent race was ignominiously slain by a common

soldier. A principal cause, perhaps, of the longer duration, as well as the more barbaric splendour of the dominion under which that palatine and a few other feudal lords so rudely prospered, is to be ascribed to the partial resistance offered to their sway by the church. That circumstance undoubtedly contributed much to the strength and continuance of the feudal principle in Ireland, and much also to the weakness of the English crown.

The want of municipal corporations also favoured it; for although these institutions were called into existence at an early period of the connection with England, they were ill-formed, inefficient, and scarcely in a single instance the patrons of freedom, industry, the arts, manufactures, commerce, or local improvement. Until within the last three years, they have been upon a scale so very limited, and a form so imperfect, as to have neither proved the exponents nor the agents of the public sense of what was either desirable or necessary in the way of useful measures. To those who examine their history, they will appear to have retarded rather than to have promoted the improvement of their respective localities, or the development of the resources, whether general or particular, of the country at large. Instituted originally by the English invaders, the Irish of former days were excluded from them: more recently the Roman Catholics, though legally admissible, were practically denied their right to belong to them; in our own day only have men of all political opinions, and every form of religious worship, been fairly introduced to participate in the distinctions they confer, and contribute to the good they are calculated to create. The great bulk of the population has thus had no share of municipal power, from the original date of the first English charter down to the close of the year 1841. To this depressing circumstance, unquestionably, is to be attributed no small portion of the backward state of the country at large, and the awkwardness of not a few efforts made from time to time by individuals to turn their own energies and the capabilities of the soil to a good account, by means of public works and the promotion of undertakings

for developing the national resources and increasing the employment of the people.

For men who have had no experience in the habit of self-government—who have not enjoyed an opportunity of bettering the condition of their own immediate locality, by consulting and co-operating with their equals—who have never been roused to enlarge their views by conducting enterprises of this useful description with economy and effect,—must be admitted to be ill-adapted, or rather wholly unprepared for the noble avocations by which the accomplished spirit and disciplined industry of long-established mercantile and municipal institutions have elsewhere, by a combination of superior advantages, so extensively added to the means of human happiness and fortune. The citizen accustomed to take part in measures of internal improvement, acquires a sound habit of consulting the interests of the community to which he belongs while promoting his own advantage: from this the moral as well as the pecuniary gain is large. He learns that men better their fortunes as they improve the place in which they seek to make them. He is thus taught to feel that the public prosperity is the true standard of his private fortune; and that if the one is not secured, the other cannot be safely retained, even when it has been meritoriously acquired.

In Ireland, however, this knowledge is even now in a state of infancy. In no other country of the world, claiming the privilege of free government, have the people been systematically shut out from the opportunity, and debarred of the occasion, of indulging in salutary exercises and improving avocations of this kind. For a long period of her history, the chief misfortune of the country was to be detected in the positive inability of the government to do any thing. A reaction at last took place; and, for more than a century, it has been the just complaint of all reasonable minds, that the government has insisted upon doing every thing. Between these two extremes the people have always been heavy sufferers. From time to time they have aspired to do much for themselves, but they have always been prevented; or, if ever

allowed to occupy themselves in measures of local improvement, they have been held in leading-strings like children, and forced to move puppetways, as the fastidious notions of the few Englishmen happened to prescribe, who have time out of mind been the only persons entrusted with the administration of Irish affairs. How much has been lost, and how little gained by this course of senseless dictation and impertinent meddling, will, to some extent, appear in the sketch now about to be given—a sketch in which it will be seen, that the vicissitudes naturally incidental to the progress of all public works have been enormously aggravated in Ireland by the policy adopted with regard to them by successive ministers —a policy doubly injurious, inasmuch as while it steadily upheld the system of government interference, it frequently changed the mode of that interference. That government would interfere, appeared always certain; but how the government would interfere, was always uncertain. To such a length has inconsistency gone in this respect, that each man, as he has succeeded to office, seems not only to have felt himself bound to differ with his predecessor, but with himself also. There is scarcely a single undertaking of the class now under consideration, in the history of which repeated instances have not occurred of the most contradictory proceedings upon the part of the government—and in which the most decisive evidence has not been afforded, that no one principle of political economy, and not the slightest observance of a sound and steady system, are to be expected to result from the way in which these things have hitherto been conducted.

The case is so extreme and hopeless, that to reform the system—if, indeed, system it can be called—altogether, will hardly suffice. The cause must be uprooted—and that cause is the vain and pernicious establishment of a separate form of government for an integral portion of the United Empire. It is a strong reason in favour of the absolute necessity of abolishing it, that its chief organs are obliged to descend from their sphere, in order to find something to do. This is a conclusive proof that such a form of government is unnecessary. There is, in reality, not enough of proper or legitimate admi-

nistrative business to occupy the time of the retained functionaries, and to satisfy the appetites of their craving dependents. The consequence is, that work, patronage, and places are sought and found in directions where, strictly speaking, the hands of power ought not to be extended. Thus is the wholesome action of an energetic community prevented from developing itself. In its stead, the slow and deadening process of an impure ministerial agency is set in motion; under which no one person or project is suffered to stand upon its own merits. One and all are driven to rely for success upon the grace of the government of the day. That partial support, if the suppliant be artful and abject enough, is often to be obtained, but it is seldom to be retained for any length of time. Plausibly as the favourite may have argued in private, the public eye quickly detects, and the public discontent loudly denounces the unseemly exercise of party power. In order to avoid the opposition of the just, or the hostility of rival claimants, the job is made to struggle into life, curtailed of half the powers and privileges upon which its deluded promoters had founded their chimerical hopes. Confusion follows quickly upon the heels of disappointment; men of character and real property, with the exception of a few enthusiasts, withdraw from the venture—distress ensues—and a long series of misfortunes is painfully evolved.

Such, in a few words, is an abstract of the history and present state of public works and private enterprises in Ireland. The leading characters of the country, warned by repeated failures, have, for a length of time, laid it down as a rule, to avoid, as a certain source of loss, the slightest connection with projects for the improvement of the country. Joint-stock companies are no where held in lower estimation by the only persons qualified to conduct them with good effect—experienced men of independent minds and unincumbered capital. But the government, though constantly at fault, is continually importuned to interfere, and being generally unpopular, it is often unable to resist the temptation to curry popular favour by illegitimate avocations. Establishments, alike ill-conceived and ill-conducted, have thus been fostered, by some in simple

folly, by others in sheer knavery, under the specious pretence of directing and assisting private enterprise in developing the resources of the country, and bettering the condition of the people. As it is impossible to go right in a wrong direction, these have necessarily furnished innumerable grounds of serious complaint, and produced effects of the most depressing and injurious character.

And so it must always be—so must the people continue to be poor and discontented while kept every way dependent—while debarred the wholesome liberty and strengthening discipline of applying the accruing profits of business, and the accumulations of industry, to create new avocations, and open out fresh sources of emolument, as their own self-improving spirit and the energy of successful experience may suggest. So must it always be, on the other hand, while the chief occupation of the local government that restrains and impoverishes them, consists in fashioning out, in filling with abject dependents, and feeding with the public money, pompous institutions for taking all measures out of the hands of those who, in a free country, are the fittest to perform them.

In Ireland the government monopoly of every thing of this kind has been penetrating and rigid beyond all example. If it is to be matched any where, it can only be in China. There is not a single department or office of private enterprise for which a government board has not been set up, with a liberal staff of officers and clerks, with good salaries, and the royal arms on all the seals. As stated in Chap. I., you cannot offer to make a road, improve a navigation, drain a marsh, cut a canal, construct a railway, pave a street, or light a town with gas, but you are stopped by a government board already established to point out to all men how in such cases they shall proceed;—or by a government commission appointed to furnish the necessary excuse for putting you down upon authority as a presumptuous adventurer, ignorant of the matter with which you are meddling, and every way unqualified to compete with the intelligence and acquirements of men selected by government as the only competent persons to be entrusted with the task of informing the country that no undertaking of

the kind can be so well understood, or so efficiently accomplished as by a government officer, with a cabinet minister as his patron, and the treasury as his paymaster. Thus, at every turn, and upon all occasions, the powers that be fail not to extend their guardian care, and overpower with officious assistance. Either by a commission to inquire, or a board to execute, her majesty's loyal subjects in Ireland are sure to be spared the trouble of thinking and acting for themselves wherever it happens to be the peculiar province of the community to provide as it seems best for the attainment of objects which are exclusively and pre-eminently its own. Hence it is that in Ireland a man with some money and time at his disposal, and a turn for useful exertion, is driven to be a place-hunter by the force of circumstances. For unless he can prevail upon the government to employ him, he is doomed to perpetual inactivity. No matter what his talents, or what his resources; —no matter what pursuits, an apt ability, or adequate powers may incite him to engage in, he finds the ground pre-occupied by a government board: he finds this board attempting every thing, and improving nothing, of which all the patronage and profit are not wholly its own; and thus, ere long, he abandons the vain idea of bettering his country or himself, disgusted as often by the indifference as by the conceit of the heads of office, or thwarted by the manœuvres of their jealous dependents who dread in the progress of independent talent the subversion of the wretched system upon which they have contrived to raise themselves to good salaries and some rank in the tinsel suite of the second-hand royalty of Ireland.

And, wretched, indeed, is that system,—spreading everywhere like an epidemic, and corrupting everything with which it connects itself. To its paralyzing consequences, much of the evil under which Ireland deeply suffers, is to be traced. The prominent place assigned in these pages to the subject-matter of this chapter, proceeds from a deliberate conviction, that, however grave the causes and heavy the influence of other distresses, the mischief produced by the manner in which the public works of Ireland have long been mismanaged, constitutes an evil so gross, as to be perilous to the well-being of the

country, and subversive of the wisest plans for its improvement. The danger, moreover, is made greater, by the seductive appearance given to the successive schemes and the commanding position of the principal supporters of the system under which they are produced.

A liberal application of capital to develope the resources of Ireland, is one of the oldest and most captivating panaceas for the cure of the manifold disorders of the country: the minister, therefore, who advances the public money largely for such an object is sure to be popular,—and with none more so than with members of the House of Lords and members of the House of Commons possessing extensive properties in Ireland; and the various sets of professional men deriving emolument from the liberal sums expended under this sounding title. But if there were no other reason for questioning the policy of voting grants or loans, as they have hitherto been voted, to encourage public works, than is afforded by an attentive observation of the conduct of these very parties, and the address with which they constantly turn the public aid to their private succour, enough would be discovered to startle the most sceptical, and confound the confidence of those who rely so strongly on the hope of deriving good from such a source.

True, it is, that the slightest allusion to any department is quickly met in either House by some well-turned compliments to the gentleman at the head of it. The distinction with which he served his country before he was appointed to his present situation, and the anxiety he invariably displays to render his post efficient, and to promote the interests of the country are extolled with equal cordiality, by peers of the realm, by titled placemen, and members of counties and boroughs. Praise from persons of their rank and property imposes upon the public ear—it is supposed to be disinterested. No man willingly suspects the patriot whose name is always identified with measures of amelioration,—who, if a public work is proposed, and a preliminary survey is desired, proves one of the first to subscribe towards the expense of it; and who, when the undertaking has been fiated by authority, and one half of the required capital is to be borne by the country, will put down

his name for £1,000, and perhaps more, in order to expedite the project through its remaining stages. And yet, mortifying confession! these improvers, in nine cases out of ten, are only actuated by selfish motives; their eulogy is one of the many forms of political gratitude—a lively sense of benefits to come, inspired by the memory of benefits that have been received. One has had money for a road,—another for a bridge or a pier,—a third for a reclamation of waste land; and each has his desirable improvement still to carry out. How can they, then, abstain from praising the policy by which they hope to profit? They are patriots animated by that strong love of country which invariably takes a lucrative turn. It has too often been remarked, that he who begins by subscribing £100 for the survey of a public work, generally ends by carrying it into the heart of his own estate; and if he happens to follow up his first contribution by adding, as has occasionally happened, £1,000 towards its completion, £10,000 at least of the public money comes to be eventually expended upon his property.

If this general statement be not enough, and particular evidence is still desired of the improper influence required to procure good measures under the existing administration of public works, it will perhaps be enough to mention that when the Whigs held office, two leading members of the party, locally interested, succeeded in obtaining nearly £700,000 for the improvement of the river Shannon; and that now that the Tories are in power, a leading Tory, also locally interested, has obtained a survey of the Blackwater at the public expense. A number of cases, even more specific, are to be met with in the annual reports of the commissioners, where peers and private gentlemen may be distinctly traced in the receipt of large sums of public money for personal objects. Year after year the items have run plainly enough,—to such a one, "for improving his estate," so many thousand pounds;—to such a one, "for draining his land," so many thousand pounds;—to such a one, "for working a mine," so many thousand pounds;—to such a one, "for making a road" through his estate, so many thousand pounds;—to such a one, "for building a pier" on his estate, so many thousand pounds,

&c. &c. How neat a machinery of political corruption may thus be set to work,—how aptly the wasting strength of party warfare may thus be recruited,—how reluctant votes may thus be won over, and the public service may be shamefully abused, while large personal fortunes are unblushingly realized, can require no explanation here. As little can it be necessary to point out that this is neither a just nor a substantial development of the resources of the country, but a foul and scandalous sustainment of private advantages subversive of all public virtue and national improvement. The value of such resources in the hands of an adroit and sedulous manœuverer may be estimated by the assertion of close observers, who do not hesitate to declare, that there are not a few estates in Ireland the rentals of which have been doubled by a cunningly contrived application of the public money to their improvement in the manner here adverted to.

These mercenary practices have not been of recent origin. The writer of the MS.* "Account of Ireland," in the British Museum, repeatedly quoted from in Chapter XII., observes, under the date of 1753, "as a redundancy in the treasury had occasioned so much discussion and dispute, it seemed now determined that the same cause of contest should never occur again. For this purpose the House of Commons now began to appropriate a considerable part of the additional duties to their own use. This was done under the pretence of encouraging public works, such as inland navigation, collieries, and manufactories of different kinds. But the truth is that most of the public works were private jobs carried on under the direction and for the advantage of some considerable gentlemen of the House of Commons. By this means the parliamentary leaders perfectly answered their own views —they gratified their friends, impoverished the treasury, and

* When this manuscript was first quoted in this work, the author's name was not given in the catalogues of the King's Library; it has since been added. The writer was Sir George, afterwards Earl Macartney, who was Irish secretary at the commencement of Lord Townshend's lieutenancy, and is better known as the author of the "Journal of an Embassy to China."

kept government under a constant necessity of asking suppli
By repeated jobbing the purpose was effected, and what
most unaccountable, government seemed to acquiesce in
without complaining." The statements made in this chapt
and the further details still to be given, will abundantly pro
that the example set by the Irish parliament in this respe
has been keenly followed up and excelled by an unbroken su
cession of Irish members in the British legislature.

Precisely the same ideas were expressed upon the subject
Lord Clare in his celebrated Union speech. "But the Co
mons took effectual care that the question should not occur
second time, by appropriating every future surplus to the
private use under the specious pretence of local public in
provements. Windmills and watermills, and canals an
bridges, and spinning-jennies were provided at the public e
pense; and the parliamentary patrons of these great nation
objects were entrusted with full discretionary powers over t
money granted to complete them. From this system of in
provement a double advantage arose to the Irish aristocracy
it kept their followers steady in the ranks, and, by reducin
the crown to the necessity of calling for supplies, made t
political services of the leaders necessary for the support
of government. But the precedent was fatal, and a syste
has gradually been built upon it which would beat down t
most powerful nation of the earth."

This system served Lord Clare with an argument for t
Union, but its abuses were continued in full play long after t
Union was carried. Parliamentary loans and grants, in aid
public works and for the employment of the poor, up to o
own time, have either been treated as bounties to the lande
interest, or have been distributed, with a very few modera
exceptions, as favours and rewards amongst the political pa
tisans of the government of the day, or applied to the improv
ment of districts in which persons of that description have he
large possessions.

Parliamentary jobbers, and improvers of their own prope
ties out of the national funds have not constituted the on

noxious body thus engendered. An impudent race of unprincipled pretenders sprung up as soon as it became understood that the gleanings of this political harvest yielded large profits to those who were hired to reap it. As political influence decided the merits of almost every project, the profits of working each in its turn were dropped as prizes into the laps of adroit political agents. Whole families have thus made fortunes by nothing but trading in government grants and public works. While such plotters flourished, no measure, however beneficial, had the least chance of success, without official patronage in the first instance. The jackalls of the jobs thus fastened upon the treasury, were not slow in teaching the dependants and instruments of the Castle of Dublin how much it would be to their interest also if all undertakings of this class were to become, in one shape or other, government concerns. Mercenary combinations quickly followed; every thing was meddled with, but nothing flourished. These men—and their race is not yet extinct—have eaten like locusts into the heart of the public good in Ireland. Insidious, plausible, insatiable, and ever sedulously alive to gain, they have equally been remarkable for their advocacy of the cause of national improvement, and for the large sums which they have obtained under the pretence of advancing it. Destitute of honour, and incapable of party attachment, they have marked every new administration upon its accession to office as their prey, and made it their especial policy to render themselves agreeable or serviceable to it early in its career. Once their talons are fixed, they take a firm grasp, which they never relax while there is a boon to be granted, or a shilling to be expended. They have been the creatures of all governments, and have used each in its turn to their selfish purposes. Successive administrations have decayed and broken down, while these, the parasites of their power, have clung, like ivy, to the ruin, the only green and flourishing spots upon the extending waste. They have touched everything, and nothing has prospered in their hands, or been profitable to any persons but themselves; and yet such has

been their address, or the infatuation of almost every minister in Ireland, that they continue to enjoy constant regard, and are pluralists of the most lucrative offices and employments in the country. With them government mines, government canals, government navigations, government roads, and government railways, have always been favorite objects of praise and attachment. In this way the country has been made to bear the loss of millions; enormous prizes have been won in the great lottery of jobs, and proportionate gains have accrued to the flatterers and retainers of those through whose weak and partial hands these profuse applications of the national resources have passed. Nothing has been too high for their ambition, or too low for their avarice; they have taken £500 for working a quarry, and half a million for improving a navigation. Carefully and minutely should their professions and conduct be studied by all persons who, to borrow the words of one of the oldest and most painstaking of Irish statistical writers, "would represent the most natural causes of the poverty of the country, by discovering, not only the grand robbers of its treasure, but the lesser thieves that creep in at every window, and pilfer every house, and pick every pocket, whereby, not only the noble and wealthy, but the mean and poor are daily made poorer."*

Passing from these illustrations of the manner in which the integrity of public men has been sullied, and the national energies have been abused, and ascending to the higher considerations by which the general question is governed in other countries, we shall not find ourselves in want of evidence to confirm the reasonableness of the opinions already forced upon us. The superior efficacy of private enterprise over a government administration, as the proper medium for conducting the public works of a free people to a successful issue, is strongly sustained by almost every argument and example applicable to the subject.† It seems as if it were part of the genius of a constitution like ours, that great public works

* "The Interest of Ireland," by Richard Lawrence.

† This, and some other passages in the present chapter, appeared in a pamphlet published by the author in 1839, on Railways and Public Works in Ireland.

should belong, not to the government, but to private parties. We may even go farther, and, extending the proposition generally, maintain, that exactly as a government is, in its form and administration, absolute and tyrannical, it is well fitted for the execution of public works on a large scale; but on the other hand, exactly as the institutions of a country are liberal and representative, the people are sure to surpass the government in all the labours of original speculation, and the prosperous conduct of undertakings which demand for their accomplishment the spirit of bold adventure, an ardent energy, and the excitement produced by calculations of considerable profit. Looking not only at the progress of public works, but also at the development of all those useful inventions by which society has been most benefitted and enriched in England and in America, we perceive that private enterprise has invariably taken the lead and obtained by far the most splendid results. The joint-stock canals, docks, and railways of England and the United States, far exceed in number and value any corresponding works projected or completed by the executive authorities in either country, while they exhibit the continental governments in a state of comparative depression and insignificance. So irresistible has been the pressure of this truth, that even in France, where the fear of democratic innovation imposes severe restrictions upon the liberty of the subject, extensive powers in the projection, support, and management of public works, are conceded to the people. Although a political crisis enforced the construction of railways upon the state in Belgium, efficient provision is made to secure to the community full permission to make and maintain at their own risk all other public works, as they may deem them to be for their advantage.* But in Ireland the exercise of similar privileges has not been tolerated. There the people, however free in other respects, have never been free in this one. The government has uniformly interfered, and its interference has always embarrassed.

In manufactures, again—in gas, in steam—the world owes

* There is an interesting account of the Belgian system of public works, in "Measures for Ireland," by A. H. Lynch, Esq., M.P. *Lond.* 1839.

almost every thing to private enterprise, and little or nothing to its governments. England devoted for a series of years her ample resources in men and money to resolve the problem of a north-west passage. Successive expeditions tried the experiment without effect, when the humble servants of a private company stepped in and made the discovery at a single but most wonderful effort.

Should it not then be received as a settled doctrine, that the government of this country is, by its very nature, incapable of managing extensive undertakings, which, to be completed with skill, economy, and the desired effect, demand years of the most exact superintendence, and the sensitive cares of a penetrating and tenacious self-interest? Are not these views fully warranted by the history, so peculiarly discouraging, of all our government undertakings of this kind? Where has the executive stepped in for the purpose of taking the place of private enterprise, and attempted to accomplish objects which our habits have made the peculiar province of the people, without encountering utter failure? The more we examine the multitudinous avocations, and the ever-fluctuating interests of the government of such a state as ours, the more convinced we must feel that the minister of the day is wholly incapable of that persevering labour and close attention to details, of that warm sympathy and hearty identification with the object pursued—joint offsprings of the hope of fame and emolument—which these proceedings imperatively require. As little is it possible to establish a firm and constant subordinate agency, unshaken and uninjured by the frequent shocks and interruptions to which it is sure to be exposed, and really independent of the varying influences which the lapse of a few years will be sure to bring to bear upon it. We change the mind of the deputy when displacing the principal, upon whom he depends for support, and by whom he must at all times be directed; we substitute for the man who has always thought highly of a particular measure, an opponent who has always been of opinion that it was a mistake from the beginning, and can only involve in discredit the department to which it belongs.

If sceptics are still to be found upon the subject they should be referred to Ireland, where cases are to be met with so numerous and strong as to to be overwhelming. Out of Ireland, amongst others to be specially noticed, is the Caledonian canal, projected some forty years ago, by Telford, prosecuted by the government, and unfinished to this hour. Upwards of a million sterling had been applied to this work, and in 1837 its patrons were reduced to an unprecedented dilemma. They were called upon to answer a question no less difficult than this:—Can we do better than to discontinue the navigation and destroy the works altogether? The walls, long in a state of imminent insecurity, were falling in in some places, and threatening a general inundation. Mr. Walker, President of the Society of Engineers, reported to the treasury that, if the canal was to be kept open at all, there could be no doubt as to the propriety of executing extensive repairs, which would cost a further sum of £129,317. After that expenditure, vessels would take from three to four or five weeks to pass through the canal, which is only 60 miles long! To expedite so slow a transit, it was proposed that five steam tugs should be procured, which would make the additional sum required, £150,000. The average annual tonnage navigating this canal was then about 25,000 tons, which is about 2½ per cent. of the whole trade of the Pentland Forth. The canal was intended for frigates, but vessels of the smallest class only attempt the use of it, as it is confessedly inadequate to large ones. The gross annual receipts have never exceeded £2,500, while the expense of maintenance and repairs amounts to £3,000. If all the £150,000 were expended, it would still take days to navigate the 60 miles. To finish the picture, Mr. Walker stated that it would cost just as much to destroy the canal as to repair it; and to complete the string of perplexities, if it was neither destroyed nor repaired, the country would be inundated, and whole districts full of property would be ruined! After two years of deliberation, it was determined, in 1842, to adopt Mr. Walker's plan of repairs and spend £300,000 more.

The Rideaux canal, in Canada, teaches just the same

lesson. The original estimate for that work was only £150,000, but it has actually cost £900,000, and is, even now, unavailable for the uses it was intended to serve. But without travelling to the colonies, let us look at the Holyhead roads and harbour. These were constructed by government, at an enormous expense, aided by some of our most eminent engineers, with the view of making that line the main stream of communication between London and Dublin. But it never once has been able to compete with Liverpool. There the superior energy of private wealth has overcome the natural difficulties of a bad port and long sea voyage, and drawn all the Irish trade to the inconvenient Mersey.

The rapid extension of railways during the last ten or twelve years, has suggested some formidable ideas of a very contradictory nature to many persons. Negligence and usurpation, mismanagement and extortion, are charges often brought against the system under which they have been produced. It must be confessed that we have no reason to ascribe perfection to that system—on the contrary, it is impossible to resist the force of the evidence which goes to show that the public convenience has not been as fully or as satisfactorily consulted in many of these undertakings as their respective circumstances admitted. But although this may have been the case in several instances, he would be a very precipitate reformer of abuses who would leap to the conclusion that the only proper way of correcting existing or prospective evils is to take all such works out of the hands of private companies and transfer them absolutely to government. For, unquestionably, the pressure of public opinion against any grievances that may be inflicted while they are conducted by individuals, must in almost every instance prove invincible. As they are now circumstanced, the community at large unites itself in one compact and overwhelming body to resist any wrong, and put down any usurpation that may be threatened by the partial monopolies it has called into existence for its own advantage. The government, too, in the present state of things, enjoys a counteracting influence, which it will be generally found disposed to bring to the public relief the moment a pro-

per case for interference is made out. This has been pointedly evinced by the prompt enactment of the successive laws which have already consulted the public accommodation and safety by placing all railways under the supervision and controul of a particular department of the board of trade. But if we change the system that prevails, and hand over all the railways in the empire to be made and managed by government, we may happen to realize the fable of the frogs who desired a king. Instead of the public, arrayed against a small body of individuals, we shall have the public divided against itself, and ultimately crushed by a power of predominant weight. Our railways, like our post-office, as a government enterprise, would be made a source of revenue to the exchequer, and of considerable patronage to the minister. Every complaint against the government system of railways would be construed into a censure of the administration of the day, and every attempt to procure a reduction of the government charges for travelling would be opposed, as the general effort lately was opposed to cheapen the high rates of postage under which every branch of the national industry had so long been suffering.*

* Amongst those who contend for a government board to make and maintain railways, no point has been more strongly urged in the attempt to establish a case, than the expediency of settling by a competent authority the breadth of way and various other scientific details, so as to render them fixed and uniform, and to enforce the adoption of the best upon every line under commensurate penalties. But the policy of such an interference with the progress of improvement seems to be very questionable. If every new line we may have to make is to be, necessarily, a counterpart of the lines already in existence, we are not likely to advance beyond the point of excellence at which we may be considered to have already arrived. If we leave companies free to effect improvements as skill and experience may suggest, we may rest assured that ingenious experiments will be frequently made, and that they will be frequently successful. If you lay down one rule and form, from which there shall be no digression, you forbid experiment—you forbid improvement—you degenerate, in short. A good conveyance, at convenient times, the public has a right to demand; but the introduction of a power to determine, *ex cathedra*, whether that conveyance shall be on rails of this or that form, or at this or that breadth of way, could not fail to prove as injurious as it would certainly be vexatious and puerile. If such an authority had been in existence when the Great Western line was in a course of construction, Mr. Brunel's inventions and particularly the wide gauge, would in all probability have been interdicted. In the only instances, moreover, where official intelligence has been brought to bear upon this very detail, contra-

When the turnpike-road system was coming into general use, it was assailed, as every successful improvement is invariably assailed, by much of the same sort of clamour and objection as we now find levelled against our incipient railway system. Adam Smith notices, in his "Wealth of Nations," how, then, as now, the government was called on to interfere, and how the people were told that government, if it took the turnpike-roads into its own hands, could not only make them better and more cheaply than private parties, but also how it would derive a certain revenue for the state from them. The passages in which Adam Smith disposes of these suggestions, bear pertinently upon the present discussion, and will be found full of instruction.

"In Great Britain, the abuses which the trustees have committed in the management of those tolls, have, in many cases, been very justly complained of. At many turnpikes, it has been said, the money levied is more than double of what is necessary for executing, in the completest manner, the work which is often executed in a very slovenly manner, and sometimes not executed at all. The system of repairing the high roads by tolls of this kind, it must be observed, is not of very long standing. We should not wonder, therefore, if it has not yet been brought to that degree of perfection of which it seems capable. If mean and improper persons are frequently appointed trustees; and if proper courts of inspection and account have not yet been established for controlling their conduct, and for reducing the tolls to what is barely sufficient for executing the work to be done by them; the recency of the institution both accounts and apologizes for those defects, of which, by the wisdom of parliament, the greater part may, in due time, be gradually remedied.

"The money levied at the different turnpikes in Great Britain is supposed to exceed so much what is necessary for repairing the roads, that the savings, which, with proper economy, might be made from it, have

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dictory decisions have been pronounced. There are only three railways in Ireland, and a government board has been more or less consulted upon the subject of the breadth of way for each of them, and yet they all differ. Sir J. Burgoyne and the board of works approved the plans of the Dublin and Kingstown railway; in 1837 the same officer and the Irish railway commissioners recommended another gauge for general adoption, and upon that the Belfast and Portadown railway was constructed. In 1843, however, Sir John Burgoyne and his brother commissioners decided in the case of the Dublin and Drogheda railway in favour of a third gauge, so that in Ireland the gauge of every railway made has been fixed upon after deliberate inquiry by official authority, and the consequent benefit enjoyed by the country is a different gauge upon each!

been considered, even by some ministers, as a very great resource which might, at some time or another, be applied to the exigencies of the state. Government, it has been said, by taking the management of the turnpikes into its own hands, and by employing the soldiers, who would work for a very small addition to their pay, could keep the roads in good order at a much less expense than it can be done by trustees, who have no other workmen to employ, but such as derive their whole subsistence from their wages. A great revenue, half a million, perhaps, it has been pretended, might in this manner be gained without laying any new burden upon the people; and the turnpike roads might be made to contribute to the general expense of the state, in the same manner as the post-office does at present.

"That a considerable revenue might be gained in this manner, I have no doubt, though, probably, not near so much as the projectors of this plan have supposed. The plan itself, however, seems liable to several very important objections.

"First, if the tolls which are levied at the turnpikes should ever be considered as one of the resources for supplying the exigencies of the state, they would certainly be augmented as those exigencies were supposed to require. According to the policy of Great Britain, therefore, they would probably be augmented very fast. The facility with which a great revenue could be drawn from them, would probably encourage the administration to recur very frequently to this resource. Though it may, perhaps, be more than doubtful whether half a million could, by any economy, be saved out of the present tolls, it can scarce be doubted but that a million might be saved out of them, if they were doubled; and, perhaps, two millions, if they were tripled. This great revenue, too, might be levied without the appointment of a single new officer to collect and receive it. But the turnpike tolls being continually augmented in this manner, instead of facilitating the inland commerce of the country, as at present, would soon become a very great encumbrance upon it. The expense of transporting all heavy goods from one part of the country to another, would soon be so much increased, the market for all such goods, consequently, would soon be so much narrowed, that their production would be, in a great measure, discouraged, and the most important branches of the domestic industry of the country annihilated altogether.

"Secondly, a tax upon carriages in proportion to their weight, though a very equal tax when applied to the sole purpose of repairing the roads, is a very unequal one when applied to any other purpose, or to supply the common exigencies of the state. When it is applied to the sole purpose above mentioned, each carriage is supposed to pay exactly for the wear and tear which that carriage occasions of the roads. But when it is applied to any other purpose, each carriage is supposed to pay for more than that wear and tear, and contributes to the supply of some other exigency of the state. But as the turnpike toll raises the price of goods in pro-

portion to their weight, and not to their value, it is chiefly paid by the consumers of coarse and bulky, not by those of precious and light, commodities. Whatever exigency of the state, therefore, this tax might be intended to supply, that exigency would be chiefly supplied at the expense of the poor, not of the rich; at the expense of those who are least able to supply it, not of those who are most able.

"Thirdly, if government should at any time neglect the reparation of the high roads, it would be still more difficult than it is at present to compel the proper application of any part of the turnpike tolls. A large revenue might thus be levied upon the people, without any part of it being applied to the only purpose to which a revenue levied in this manner ought ever to be applied. If the meanness and poverty of the trustees of turnpike-roads render it sometimes difficult at present to oblige them to repair their wrong, their wealth and greatness would render it ten times more so in the case which is here supposed."—*Wealth of Nations*, Book v. c. i.

The provisions introduced into the recent acts for the control and regulation of railways, have put an end to an objection not unfrequently urged against those modes of communication. It used to be said that as railways must soon put down all other public conveyances, the travelling of the country will necessarily fall into the hands of the companies, who will then have the power of imposing such charges as they may please. This apprehension can no longer exist, but even when it was most reasonably expressed the essential distinction between a high road and a railway was seldom borne in view. A high road is public property—not solely by reason of its public utility, but because the land through or near which it passes and the public are rated to its support. A railway, on the contrary, is constructed by private capital only, and the proprietors rely for their profit upon the receipts to be obtained from travellers who find it their interest to avail themselves of the superior accommodation it affords. Above all, it should not be forgotten, that, if the railway is introduced, the high road is also maintained as of old, for the convenience of all those whose means or inclination may dispose them to prefer it. The public, therefore, has a double option, and gains one great advantage without losing another. Had the railway companies demanded the suppression, or could they altogether supersede the common roads, the people would then be entitled.

to such rights on the railways as they now possess on the high roads of the kingdom, but not otherwise.

In short, what the public really wants, and properly calls for, is, not a government board to make roads, canals, or railways, nor a board to determine where, or when, or how such works shall be made; but some general provisions, of easy enforcement, to the effect that, when they have been made, the covenant created between the trader and the traveller upon them, shall be fairly executed by the parties who, by the very condition of things, have the power of fulfilling it well or ill, to a great extent, in their own hands. That a government board to make public works is not called for, must be now regarded as a plain truth, requiring no further argument and illustration. But we go farther, and maintain, that a board to determine where, or when, or how roads, canals, or railways shall be made, is not desirable. If such a power was once given, it could not but grow, by slow and sure degrees, into a stronghold of injustice and corruption. Its very extent and vastness would render it too dangerous to be trusted, and too unwieldy to be useful. Jobbing would be one of its least evils. Political interests would insinuate themselves, and obtain the pernicious influence common to their nature; party ties would usurp their undue share of places and emoluments; and the public good, in process of time, would be attended to only as a secondary consideration by those who filled and by those who appointed to the principal situations in such a department. But the people require, and it has already been found expedient to provide, a general law for the public protection, to which all undertakings of this class, in the terms of their respective acts, shall be subject. There is now a specific authority to enforce that law readily and cheaply,—its leading principles, moreover, and conditions direct that a just proportion shall be, at all times, maintained between the profit accruing to the company, and the accommodation gained by the public;—that neither caprice, ignorance, nor great powers, shall be allowed to produce irregularity, disappointment, or exaction;—that safety, expedition, com-

fort, economy, and civility shall be secured. Beyond these guarantees no reasonable man would desire to proceed. The chief aim of every one who understands the structure and movement of the system by which the wealth and greatness of the empire have been produced, will henceforward be directed to preserve capital and enterprise free from and unprejudiced by further restraints or the deadening pressure of an extended goverment controul.*

When the Irish, incited by the example of England, began to turn their attention to the improvement of their navigable rivers, and the construction of canals, as desirable means of increasing their commerce, and elevating their country to its proper rank in the scale of nations, the form of companies, and the investment of the capital of individuals, were proposed to carry the different plans into execution. Persons, however, were not wanting to oppose such efforts, much after the same fashion, and nearly upon the same grounds, as have been urged of late years against the introduction of railways by private enterprise. No sooner was the first of these projects started, than a clique was formed, which, at the Castle of Dublin, affected exclusive zeal for the administration of the day, and, out of the castle, professed to enjoy its confidence, to express its sentiments, and to move upon its impulse. By that clique companies in Ireland were deprecated and denounced with hardened perseverance. They paid court in the outer offices of the castle, they flattered the under functionaries, they in-

* We frequently hear instances cited to prove the incompetency of parliament to determine matters of private interest and utility; and, doubtless, many such are to be shewn. Nor can we, much as the mode of conducting private business has been improved of late years, still assert, with truth, that parliament is yet a perfectly adequate tribunal in this respect. Parliament, however, has one advantage which we cannot hope to find elsewhere. Any one member in either house, by rising in his place and exposing a job, is almost sure to defeat it. It is impossible to constitute any board, tribunal, or department, to which we could attach that one invaluable good. Many jobs, no doubt, have been carried in both houses; but that has seldom happened when they have been denounced. The care now taken to give publicity to all the proceedings on private bills, renders the quiet progress of a deliberate job, all but impossible. There are few government boards, on a large scale, of which it would be safe to make the same boast.

voked the interference of ministers with a constant voice; they asserted that Ireland did not possess sufficient capital for such undertakings, nor sufficient trade to support them, if completed. As nothing of the kind, it was argued, could remunerate private undertakers, government alone should embark in them upon public grounds, and by so doing protect the community at large from imposition, and truly develop the resources of the country. Nor did they contend in vain. Assistance was craved on the one hand, controul demanded on the other. At the beginning private enterprise struggled to make way, but so obstinate was the resistance offered to its progress, that it was forced to yield. Government did interfere, and, obtaining new means of patronage, distributed amongst its partizans the good things placed at its disposal.

But the assistance was much greater than the controul: the purse-strings of the Irish treasury were unloosed, and grasping hands were always to be found within. The efforts of individuals, through the press, and in parliament, to arrest a course of scandalous jobbing, were unavailing. The most glaring exposures of ignorant extravagance and gross corruption took place; but the favourite system, though suppressed at intervals by the force of public indignation, has always been revived, after an interval of disuse, and has invariably produced the same consequences. When the amount of one vote was wasted, another was carried. When one form of administration exploded in depravity, another was artfully set up to repeat some modification of the experiment, with the same fatal effect. The false principle of government controul and government aid has been attempted in banking and railways, and has been constantly applied to navigation and canal companies. Millions have been lavished to work it out, and they have been lavished in vain. May we not then ask, what security there is against the recurrence of the same results, if, in defiance of all experience, we should still farther extend or tolerate it? Is it not the unchangeable nature of things, that what was badly done before, by such means, will be badly done again? Is it to be credited that the estimates will not be exceeded?—that

there will be no improvident advances of public money?—tha no poor relatives and inconvenient dependants will be provide for in unnecessary places, and no party interest or politica prejudices fostered and encouraged in filling up the place that are necessary? Can any man venture to limit the unfai premium to which, at a period of excited speculation, th shares of the government works may not be raised, or the dis count to which a momentary panic may not precipitate them These are consequences which every person of ordinary in formation, and the most limited sagacity cannot fail to regar as inevitable, and which no integrity or ingenuity can eithe prevent or subdue.

But why resort to arguments when we may decide the ques tion by referring to facts? We have the experience of mor than a century and a quarter to guide our judgment. W have paid away millions of money to buy that experience. Th vain attempt to work out with success the principle of a stat direction of private enterprise has been made time after time and in every shape; successive parliaments in Ireland, and i the United Kingdom, have aided the repeated efforts with n no mean or contracted hands; as one modification of the sys tem has broken down, we have had another quickly raised upo its ruins; and what remains? For a period of 128 years, onl fifteen public works for all Ireland,—the Shannon, Barrow Lagan, Boyne, Tyrone, Tralee, Suir, and Moy navigations;— the Grand, Royal, Newry, and Ulster canals;—and the Dub lin and Kingstown, the Belfast and Portadown, and the Dub lin and Drogheda railways. And what, respectively, are thei circumstances? With exception of the three last,—larg debts—scarcely any dividends—and overwhelming difficulties

To begin with the Limerick navigation, which is a part an was the commencement of the Shannon navigation—we fin the project of improving the Shannon, started in 1715, unde the act 2 Geo. I. c. 13, at the instance of private enterprise but quickly taken up by a government board. Its cost, i 1823, had been £123,000, for six and a half miles of canal and five and a half miles of river navigation, and its produc

£1,514 2*s.* a-year.* In 1826, the pressure of so dead a failure became intolerable, and the inland navigation directors encouraged the formation of a company, with a joint-stock capital of £3,000, to be expended in further improvements. The company was formed—the property, which had cost £123,000, was vested in them—and, in 1833, they began to borrow again from the state. The present board of works has paid £14,000 to maintain the Limerick Navigation Company of 1826†. But the "government system" did not stop there. The Shannon improvements were projected, and to complete them, it was held desirable that the public should not only buy back from the company the rights transferred in 1826—giving £6,000 for a capital stock of £3,000, and £6,000 to pay off miscellaneous debts incurred in the interval, but also that the particular debt of £14,000 to the public should stand over as a lien on the tolls which are expected to accrue—*ad Græcas Calendas*—from additional improvements! This is the government system in Ireland down to the present moment. An expenditure of £146,000 has been required to

* Irish Railway Report, Appendix A, 74, and B, 54.

† Reports of commissioners of public works in Ireland, 1834-36. Limerick, it must be confessed, has been extremely fortunate in its connexion with this board. The following sums of the public money have been awarded to that city and its approaches within a recent period:—

Road from Woodford to new line to Limerick	£959	14	0
Road from Glenquin to Goulburn Bridge, County Limerick	600	0	0
Limerick Navigation Company to improve Works	8,910	0	0
Road leading to Ennis	205	0	0
Ditto Waterford	560	0	0
Wellesley Bridge and Docks	25,000	0	0
Ditto ditto	37,550	0	0
Ditto ditto	29,000	0	0
Road leading to Waterford	296	3	6
Road leading to Ennis	117	6	8
Road leading from Abbeyfeale to Glinn	1,181	15	3
Rebuilding Thomond Bridge	9,000	0	0
Barrington's Hospital	2,500	0	0
Limerick Navigation Company to improve Quays, &c.	6,500	0	0
Road from Mitchelstown to Kilfinnane	1,150	0	0
Building Athlunkard Bridge	9,850	0	0
Road from Buttevant to Kilfinnane	400	0	0
	£133,779	19	5

produce an income of only £1,514 2*s.*, and parliament sustained Lord Monteagle, then Mr. Spring Rice, in compelling the country to pay for that paltry income, in addition to the large grants previous to 1826, no less than £6,000 + £6,000 + £14,000 = £26,000.

The Grand Canal grew out of the first plans for improving the Shannon and effecting an uninterrupted stream of navigation from the Irish Sea at Dublin to the Atlantic Ocean below Limerick. Like the work just noticed it soon became a government undertaking; it was then thrown into a private enterprise, aided and directed by the state, and has in both conditions borne a heavy share of the misfortunes inseparable from all such auspices and authorities. The works were commenced in 1756, but their progress, far from corresponding with the patronage under which they had been projected, was so tardy and fruitless that the government was obliged to fall back upon the only legitimate ground, and invite private individuals to come in and take a share in the speculation. Under this new encouragement a subscription in aid of the work was set on foot, and in 1772, after large sums of public money had been expended, an act of parliament was passed, incorporating the subscribers of a sum of £60,000 which was to be made £150,000, as the Company of Undertakers of the Grand Canal; and vesting in them all the property and powers with respect to that navigation, previously possessed by the directors of inland navigation. By this body which surmounted not a few difficulties and impositions, involving the necessity of an augmentation of capital, the line was completed from Dublin to Monastereven in 1786. Subsequently the line was extended westward to Tullamore, and from Tullamore to the Shannon; it was opened, October 25th, 1803. The branch canal to Ballinasloe was completed 29th September, 1828; that to Mountmellick, 1st March, 1831; and that to Kilbeggan, 1st January, 1835.

This navigation, including the main line from the Liffey to the Shannon, and the branches to Ballinasloe, Mountmellick, Kilbeggan, Naas, Corbally, Miltown, Blackwood, and Eden-

derry, extends in various directions about 160 miles. The rise from its mouth at the Liffey, near Ringsend, to the summit at Robertstown is 278 feet; the fall thence to the Barrow at Athy is 97, and to the Shannon at Banagher 162 feet, making a total rise and fall upon the whole navigation of 537 feet, which divided by the length, 160 miles, gives 3 feet per mile for lockage. The cost in Irish currency stands thus:—

Stock debentures issued by the company				£670,000	0	0
Parliamentary grants, exclusive of the sums received from the directors-general of inland navigation, for the improvement of the Middle Shannon. . . .				93,258	0	0
Grant from government for the reduction of the debt				150,000	0	0
Debt created .	£1,167,750	0	0			
Less amount of grant	150,000	0	0			
				1,017,750	0	0
Loan for making the branch canals . .				97,670	0	0
				£2,028,678	0	0

or about £12,000 a mile.* We have no very exact relation of the progress of travelling or traffic upon these various streams of intercommunication. Accounts however of the annual amount of tolls received by the company have been regularly published. From these we learn that at the close of the war in 1814, when agricultural prices were high, the tolls derived from the traffic reached to about £50,000. This income gradually fell off during the subsequent depression of the agricultural interest, until in 1823 it was reduced to £25,000. In 1835 and 1836 it again rose to about £40,000, and in 1839, 1840, and 1841, fell back, in consequence of the deficient harvests of those years, to about £30,000. It has since rallied, and may be now fairly estimated at £35,000 a-year.

* As this summary will be found to differ materially from that relied on in the Report of the Irish railway commissioners, where the total cost is set forth at £18,000 a mile, it may be proper to intimate that a careful computation of the cost and mileage was made, to ensure a correct statement of the fact upon the present occasion.

It was during this latter period of declining revenue, that the proprietors suffered one of those acts of violent interference with their settled property, which can only be committed with impunity under an arbitrary system like that practised by the government in Ireland. They were possessed of the navigation of the Middle Shannon, between Lough Derg and Lough Ree; upon the improvement of which they had,—in addition to £54,534 8*s.* 7*d.* granted for that purpose by the commissioners of inland navigation in 1806,—expended of their own money £30,000, borrowed from the public, and for which they are still paying interest to the amount of £12,000 a year. The deed of contract between the government and the company contained no clause of forfeiture or resumption; yet this property was valued by the Shannon commissioners, in 1837, at £5; and for that sum, they were authorized by the Shannon Navigation Act of 1839, to take the Middle Shannon from the company. These were the commissioners, who at the same time awarded £26,000 for the Limerick navigation. The injury inflicted upon the proprietors of the Grand Canal is shown in the reports since laid before parliament, where it appears that the commissioners took as tolls upon this £5 property, £700 15*s.* 5*d.* in 1840, £654 6*s.* 4*d.* in 1841, and £526 1*s.* 4*d.* in 1842, besides £40 a year, the rent of adjacent premises included in the award.

Against this deprivation of their rights and property in the Middle Shannon the Grand Canal Company remonstrated, and claimed the consideration of government—as yet without avail. They proposed, according to the second Report of the Shannon commissioners, that the branch canals to Ballinasloe, Mountmellick, and Kilbeggan, which were constructed by means of advances from the exchequer loan commissioners, of monies directed by parliament to be lent for the employment of the poor in Ireland, and which as far as they were unredeemed were the property of the government, should be made over to them. After six years of tedious solicitation this proposal was at last adopted, but not upon the grounds assigned by the company. The principle of making compensation for errors

committed or an injury inflicted by the Shannon commissioners, seems to have been repudiated. The marketable value of the branch canals appears to have been estimated, and the company were allowed to purchase them at that price.

The tolls levied upon the Grand Canal are generally low: for agricultural produce from the distant parts of the Shannon and the Barrow, the maximum rate does not exceed three farthings per ton per mile; and when brought to Dublin for exportation it is one halfpenny only. Its supply of water is abundant; from 40 to 50 boats pass its summit level daily, and for several years past there has not been experienced the slightest want of water throughout the whole line of navigation. It is thus impossible to regard the condition and prospects of an undertaking so long established, and so well calculated to develop the resources of an agricultural country without a feeling of strong interest. It is true that when we refer to its earlier affairs we discern that which appears to deserve neither praise nor imitation. Great attempts there meet the eye, and small results—an extravagant outlay—dilatory and inefficient proceedings—a concern now basking hopefully under the bountiful patronage of government, now sinking under the pressure of indefensible interference; and an impoverished deprivation of its rights and property,—a state of things in short full of change and vicissitude, involving a heavy loss of money, public and private, and severe injustice to the majority of the persons who have speculated in its fortunes. But if we dwell upon the economy with which it is now conducted, if we contrast with the excessive expenditure of the original works the reasonable prices at which the late branches have been constructed—£12,000 against £3,600 a mile;* and above all, if we note the rates of toll which are unprecedentedly low, we shall not find it difficult or unpleasant to believe that the wellbeing of the Grand Canal, and of the various districts it pervades, are intimately connected together.

Two acts of parliament, recently passed, appear likely to pro-

* The Kilbeggan Branch, upwards of eight miles in length, was made for £18,000.

duce considerable effects upon this long established company: the first is the act for making the Dublin and Cashel Railway; the second, the act, already referred to, authorizing the commissioners of public works to sell to the Grand Canal Company the mortgages held by government upon the Killbeggan, Mountmellick, and Ballinasloe branches for the sum of £10,000. Of the former measure a candid view has been taken by the company, in a statement publicly distributed :—

"The entire cost of completing the Grand Canal, with its off-branches, docks, harbours, &c., was, as is well known, little short of two millions sterling. Of this sum £670,000 was subscribed by the shareholders, and forms the present capital stock of the company; the remainder having been taken up by loans under the authority of parliament. Of the amount so borrowed, there remains still undischarged, a sum of £720,000, for which interest is paid at different rates, averaging about 4 per cent. per annum; and which, with a small sinking fund, which the company are enjoined by statute to keep up, for the ultimate redemption of the debt, requires a provision amounting to £30,000 annually. This sum the directors of the company have in some years found difficulty in realizing, so much so, that for the last 30 years and upwards, *four years only have occurred*, during which it was found possible to pay so small a dividend as one per cent. annually, upon the capital stock of the company; it is quite clear, therefore, that when their passenger traffic, which at present yields a clear revenue exceeding £4,000 a year, and a large portion of their more valuable traffic in merchandize and produce, shall have been, (as it inevitably will be,) withdrawn by the railway, the payment of the present rate of interest to their creditors, and the maintenance of the sinking fund, which by the statute they are bound to uphold, under severe penalties, will be attended with difficulties, which they cannot contemplate without the greatest apprehension."

Against this saddening prospect is to be set off the advantage gained by the extinction of the government debt due upon the branches—a measure so fair in point of principle, and so beneficial in its tendency, as to suggest a hope that it will not long be allowed to stand by itself a solitary example of the policy which ought to be applied to several other cases. The branches in question were begun at a period of general starvation, with money humanely voted by parliament for the employment of the poor. They never paid the interest of the sums borrowed to make them. In the 12th annual Report of

the board of public works, there was returned an accumulation for arrears of interest of—

£27,938 15*s.* 9*d.* on £46,254 3*s.* 1*d.* lent to the Ballinasloe extension.
£17,765 3*s.* 5*d.* on £33,416 6*s.* 1*d.* — Mountmellick ditto.
£8,449 6*s.* 7*d.* on £18,000 0*s.* 0*d.* — Kilbeggan ditto.

In this state of things, the lords of the treasury very properly determined to rid the company of the pressure of growing difficulties, which it was impossible to reduce by ordinary means. It was found that an annuity, equal to the average income of the three canals for ten years, might be purchased, according to the government tables, for £10,000; and that sum accordingly the board of works was authorized to take from the company, for the unincumbered possession of the property. It is most desirable that this should prove the commencement of an equitable adjustment, between the government and the parties interested, of the pecuniary difficulties by which not a few other works are heavily oppressed.

"A history of public works in Ireland," said Mr. A. Young, in his "Tour," Vol. II. p. 66, "would be a history of jobs." We are presented with rather strong evidence of the truth of this remark in the rise, progress, and present state of the Royal Canal. There is a significant description of the origin of this undertaking in the Report of the Irish railway commissioners. In 1789, a director of the Grand Canal, having some trifling difference with his colleagues, left them, and resolved to form a rival company. Being a person of considerable plausibility and energy he succeeded. Had his object only been to injure the property he had ceased to take an interest in, he could not have devised a better plan for the attainment of such an end; but he seems to have overlooked the material fact, that the ruin of the second venture was an inevitable consequence of his proceeding. Mr. Wakefield has made a striking abridgement from parliamentary documents of the stages of this destructive folly. Commencing with an act of parliament and that common accompaniment, the patronage of the government board for the time being, and a large grant of public money, which was continued to the last point, it consumed in its construc-

sum of £1,371,000. Of this money, £172,964 8s. 10d. had been contributed by the shareholders, and no less than £842,550 borrowed. It was opened for trade in 1796, and produced for that year a revenue of £21 5s. which in 1800 rose to £1,158, and in 1811 to £17,224. At this date the debt contracted by the directors was £1,142,770, charged with an annual interest of £48,750, towards the payment of which there was only a sum of £4,131 4s. 6d. Thus desperately embarrassed the proprietors petitioned parliament for relief, and after two years of inquiry and exposure, the company was declared bankrupt, and the property vested in the creditors, who were stated to be, for the most part persons of a poor description, orphans and widows, no less than 2,000 in number. At this juncture the works had not been carried further than Clonmahay, a little beyond Mullingar. Ultimately £300,000 were granted by parliament to complete the original plan by carrying the navigation to Tarmonbarry on the Shannon, a distance of 21 miles—and the present company, composed of the creditors of the old company, was incorporated by an act of parliament passed in 1818. The summary of the statistics of this rash undertaking, furnished by Messrs. Henry, Mullins, and Mannahon in 1823, runs thus:—length, 72 miles—rate of locksage, 7½—cost of execution, £19,740 7s. 5d.—Total cost, £1,421,074 13s. 1d. The new company have paid a dividend of 2 per cent., but that partial prosperity has not been regularly sustained. In the year 1836 the total receipts were £23,145 19s. 7d., and the total expenditure £11,912 2s. 10d. At the half-yearly meeting, held October 1st, 1843, the total receipts for that term were £11,756 6s. 10d., of which £5,729 19s. 9d. had been expended for maintenance, leaving £6,026 7s. 1d. as profit. This yielded a dividend of 17s. 6d., making, with 17s. declared at the preceding meeting, £1 5s. 6d. for the year.

The Shannon navigation, which is connected with the port of Dublin by the Grand and Royal canals, is to be considered under two separate heads:—the first comprises the extensive works now in a course of construction at the public expence,

under the management of a government board. These it will be most convenient to describe in the review we shall presently have to take of the history and composition of the institutions set up and sustained in Ireland for encouraging and controlling public works. The other head of the subject embraces the operations of the Inland Navigation Company of Ireland,—a body acting in conjunction with the City of Dublin Steam Packet Company, and the Dublin and Liverpool Steam Ship Building Company. These three companies appear to have been conducted with judgment, energy, and effect. The Inland Navigation Company was projected in 1826, by Mr. Grantham, an engineer employed by government, who was the first to introduce steam-boats on the Shannon. He failed in his laudable attempt; but a joint-stock company followed, which had nine steamers plying in 1836, according to the returns furnished to the railway commissioners. If the statistics of tolls, traffic, &c., then made public could be brought down to the present time, they would be instructive. The company, however, refuse to divulge them. Thus the only detail respecting their operations to be particularly adverted to, is the amount of their tolls, which is high, 40*s.* a ton from Dublin to Limerick; and which being enforced against towing-boats, cuts away the advantages of the Shannon and its improvements from the many small agriculturalists living along its extensive banks, who cannot afford to ship their produce on board the steamers of this company. It is here worthy of remark, that the only profitable undertaking connected with the navigation of the Shannon is afforded in the case of this company; one which has all through been an independent private enterprise, and in noway indebted to government for pecuniary aid, advice, or any assistance.

The Barrow navigation was begun in the year 1759, but the company was not incorporated until the year 1788. We are told, in the Report of the Irish railway commissioners, that "The river Barrow becomes navigable at Athy, in the county of Kildare, 42 miles from Dublin, where, joining the Grand Canal, it affords an uninterrupted line of inland communication

from Dublin to the sea below Waterford, a distance of upwards of 120 miles. The rivers Nore and Suir fall into it, the former one mile above the town of Ross, the latter a short distance below Waterford. The depth of water from Athy to Carlow is nearly three and a half feet during the summer, and five feet during the winter months, which proves enough for boats carrying 50 tons. A considerable interruption prevails in the navigation between Carlow and St. Mullins, but it is available for boats of from 4 to 5 tons during six months in the year. Between Athy and St. Mullins there, a distance of 43 miles, there are 18 stages and 23 locks. There is a trackway for horses 47 miles in length, from Athy to below St. Mullins; there are five considerable towns upon or adjacent to its banks, and several very extensive flour-mills. The usual rates of freights charged range from 10s. to 15s. per ton. The following account will show the progressive increase of tonnage and tolls for the undermentioned periods, and the receipts and disbursements of the Barrow Navigation Company for five years —

Tonnage and Tolls.

Years.	Tons.	Tolls.	
1790	15,000	£ 1,[illegible]	
1800	17,[illegible]	1,[illegible]	Irish Currency.
18[illegible]	36,262	3,265	
1820	41,262	3,[illegible]	
1830	50,130	4,291	British ditto.
1835	56,784	4,366	

Receipts and Disbursements.

Years.	Receipts.			Disbursements.		
1832	£5,003	17	0	£2,363	17	10
1833	4,815	17	4	2,691	15	4
1834	5,905	11	10½	3,845	0	3½
1835	5,100	11	11	4,311	12	11
1836	4,975	6	0	2,449	6	2½

"The expenditure on the works of the Barrow navigation, exclusive of establishments, amounting, in 1836, to £812 a year, was, from 1790 to 1802, £62,215 18s. 1d.; from 1802 to 1811, £62,807 9s. 2d.; and from 1811 to 1836, £52,829 9s.; making a total of £177,852 16s. 3d. The company have

not received any loans, but they have received two grants made to them from the public; namely, in 1790, the sum of £17,600, and in 1802, a further sum of £20,625,—making a total of £38,225." These however do not tally with the amounts given in the parliamentary proceedings as those voted in aid of this undertaking. The following sums appear in the Irish statutes to have been given to the Barrow navigation:—

£2,000	33 Geo. II. c. 1.
2,000	1 Geo. III.
1,800	3 Geo. III.
3,000	5 Geo. III.
2,000	7 Geo. III.
1,000	11 Geo. III.
20,000	29 Geo. III. c. 33.
£31,800	

The printed Reports of the directors of inland navigation further state, that in 1811, a sum of £27,500 was given; which would make a total of £59,300. Correct information respecting the affairs of this undertaking is difficult to obtain. It is in the hands of a few individuals, who have not been in the habit of publishing any reports or accounts for a series of years.

The progressive improvements of the navigation may be thus stated. In 1790, when the company first became incorporated, the river was navigated by boats, which in the summer months carried a loading of from three to five tons, and in the winter from eight to ten tons. The boats were hauled by men, at the rate of one man per ton in summer, and two in winter, there being no horse trackway. The subsequent improvements consist of the formation of a trackway for horses from Athy to below St. Mullins, a distance of 43 miles; and the construction of 17 additional locks, with their respective weirs and embankments.

The Boyne navigation, which dates its origin from the year 1759, is twofold; Upper and Lower. The Upper Boyne navigation (which is part still water, according to the Report of the Irish railway commissioners, and part a canal,) extends from the borough of Drogheda, in the county of Louth, to the

town of Navan, in the county of Meath, and is 19 statute miles long. The Lower Boyne, which is in the hands of the commissioners of works, runs from Drogheda to Carrick Dexter, passing by the town of Slane; it is 12¾ miles long.

The rate of freight charged by boatowners is 3*s*. per ton from Drogheda to Slane, and 4*s*. 6*d*. per ton from Drogheda to Navan; out of which they pay a toll of 1¼*d*. per ton per mile on the Lower navigation, and 2*d*. per ton per mile on the Upper. The draught of boats in winter is 4 feet 8 inches, in summer 3 feet 6 inches; and the time consumed between Drogheda and Slane is, in summer 7 hours, and in winter 6 hours; and from Slane to Navan, 4 hours in summer, and 9 hours in winter. The whole of the traffic, with the exception of what is delivered at Slane, and to a few individuals above that place, goes on to Navan. Neither the amount of public money laid out upon the Boyne navigations, nor the total income derived from the traffic upon them are positively known; according to one statement, they have cost £120,000; and produced in the year 1837, £775 15*s*. The accounts of the Lower Boyne are laid before the House of Commons, in the annual Report of the commissioners of public works. The receipts for the year ended April, 1844, were £734 12*s*. 4*d*., and the expenditure £460 6*s*. 9*d*.

The river Lagan, which connects the town of Belfast with Lough Neagh, was not navigable up to the middle of the last century. In the year 1753, an act of the Irish parliament imposed a local duty on beer and spirits, for the purpose of raising a fund for opening a navigable channel between these points. The duties were imposed in the first instance for a period of ten years, but they were continued by subsequent acts until the year 1814. The amount of money received in this way by the managers of the navigation appears by the parliamentary votes to have been about £50,000. To this is to be added a sum of £62,000 advanced by the marquis of Donegal, to complete the canal. The latter advance was secured by debentures, which were sold, and transferred from hand to hand, from time to time. In the year 1843, the holders of these

debentures, after a resolute contest with the commissioners of public works, were incorporated into a company, for the future management and improvement of the navigation.

The length of this navigation, from the bridge at Belfast to the lock at Lough Neagh, called Ellis' Gut, is 28¼ statute miles, and it is partly river and partly still water. The whole is thus described by the railway commissioners:—"From Belfast to the western end of the summit level, where there is a treble lock, a small basin, and a single lock in connection with the summit; these are called the Union Locks. Between Belfast and the first lock is a tidal navigation, the distance 2¾ miles; the next two levels are seven-eighths of a mile long each; the fourth 2⅛ miles; the fifth, half a mile; the sixth, seventh, eighth, and ninth, three quarters of a mile each; the tenth and eleventh, half a mile each; the twelfth, thirteenth, and fourteenth, three quarters of a mile each; ending at the Union Locks;—the number of locks being 17, and the distance thirteen miles. The summit level is 11¼ miles in length, and from it to the Lough are 10 locks of equal falls, seven feet each, except the lowest one, which varies with the level of Lough Neagh. The average tonnage of trading boats is 50 tons: in summer they usually draw 4 feet water, and in winter 4 feet 9 inches. The usual time consumed in navigating from Belfast to Lisburn in summer is one day, in winter one-and-a-half day; from Belfast to the Summit, one-and-a-half or two days in summer, and two or three days in winter; and from Belfast to Lough Neagh, one, two, or three days in summer, and three or four days in winter. In 1836, the tolls for boats of 50 tons from Belfast to Lough Neagh were £3 per boat; and the rates per ton from Belfast to Newry 7*s.*, and from Belfast to Lough Neagh 6*s.* The total amount of tonnage conveyed on the navigation during the years 1831, 1832, 1833, 1834, 1835, 1836, and 1837, was 265,750 tons, and the rate of toll on each ton 9½*d.*; amounting in the whole to the sum of £10,738 7*s.* 11*d.* The landing-places in the interior, with which this navigation affords means of communication, are these:—on its own line,

the bleach greens, mills, and factories, between Belfast and Lisburn; the town of Lisburn, and the limekilns and brick-fields in its neighbourhood; the towns of Hillsborough and Moira, and the distilleries, breweries, and limekilns adjacent to Magheralin and Soldierstown; the villages of Aghalie, and Kilmore, where grain is purchased and sent on the canal; and the town of Lurgan, with its distillery and breweries. The Lagan navigation also affords a means of communication to the country adjoining the shores of Lough Neagh and the Lower and Upper Bann rivers, and the river Blackwater. The tolls charged being alike for every article, no register was kept in 1837, when the railway commissioners made their Report of the cargoes of the different lighters passing on the canal. The principal lading from Belfast is coals. Foreign timber, to the amount of about 15,000 tons, was taken in rafts, during the period mentioned in the last return, besides a considerable quantity of planks of various scantlings, in lighters: herrings, salt, groceries, iron, bleaching stuffs, spirits, barm, bark, &c., &c., are also conveyed on the canal; but neither the precise quantity, or any correct approach to it, could be stated to the commissioners. They were informed, however, that during the preceding seven years, above 35,000 tons of grain and flour, potatoes, sand-stone, fire-brick, tile, &c., have been brought to Belfast, from the interior. This quantity is included in the statement already given."

There are not any passage boats on the Lagan navigation, nor was it conceived that any could be beneficially established on it. The managers were of opinion, that the Ulster railway would not materially, if at all, interfere with the conveyance of goods on the Lagan navigation; but their anticipations in this respect have proved erroneous.

Both Arthur Young and Wakefield, in their works on Ireland, describe the Newry navigation as the only undertaking of the kind in the country presenting a flourishing appearance. It is to be regretted that the compliment no longer applies. The capital of the company is set down at £80,000, but upwards of £100,000 have been expended. The income has not yielded

a dividend to the shareholders for the last 13 or 14 years; there is no annual report or statement of accounts made public.

The length of the canal from its entrance at Fathom, (two miles nearer the sea than the borough of Newry,) to its termination at Whitecoal, where it joins the river Bann, is 16½ Irish miles. The communication between Newry and the sea is by canal to Fathom, a distance of 2 miles. From thence by the river to the deep water at Warrenpoint, a distance of 3½ miles, a further canal is in a course of construction, at an estimated cost of £30,000, lent by the board of public works. The goods conveyed on this navigation in the year 1831, was 70,479 tons; and the amount of toll paid thereon £2,414 3*s.* 10*d.* In 1837 the goods conveyed weighed 102,332 tons, and the amount of toll was £3,005 11*s.* 5*d.* This was the sum of the tolls for boats fully laden; but if the boats should be only partly laden, the toll is proportioned. The sea tolls chargeable on vessels coming to and leaving Newry, are, if laden, 1*s.* 1*d.* per ton for both cargoes; if light, 1*d.* per ton on the registered tonnage.

The Tyrone navigation runs into the Newry canal. Thence to Coal Island, where the Tyrone navigation joins the river Blackwater, and to Lough Neagh the distance is 11¾ English miles. The tonnage of the boats trading on this canal is from 30 to 50 tons. In summer the draft of water is 4 feet 6 inches, and in winter 5 feet; the rates of freights are from 4*s.* 6*d.* to 6*s.* 6*d.*, and the rates of toll from 2*s.* 6*d.* to 18*s.*: the amount of tolls collected in the year 1842 was £202, and the expenditure £537 3*s.* It is now and has for some years been in the hands of the commissioners of public works. There is an uninterrupted line of navigation from Coal Island to Belfast, a distance of 61 miles, and the distance is performed in 3 days; also from Coal Island to Newry, a distance of 39½ miles, which is performed in two days.

"The Ulster canal, extending from the river Erne, near Belturbet, in the county of Cavan, to the navigable water of the river Blackwater, in the county of Tyrone, and connecting Lough Erne and Lough Neagh, has been principally con-

structed by the aid of public money. It was opened throughout for the passage of boats during the year 1842; and two steamers have been established on Lough Neagh, for the purpose of towing boats between the Ulster canal and the Lagan and Newry navigations, leading to the seaports of Belfast and Newry. A steam-vessel has also been placed on Lough Erne, so that a quick and regular communication will be maintained throughout the line." Such was the description of the commissioners of public works in 1843, who added, "that a large increase of traffic was expected to be the result, as well as the opening of new sources of trade in the districts embraced by the Ulster canal and the extensive lakes with which it is connected." Unquestionably very considerable increase of traffic will be required to justify the use of this language, and to enable the proprietors to repay the money lent to their undertaking, and to derive a profit from it. But it would be hazardous to express a positive opinion upon the subject, as the affairs of the company are conducted with a degree of reserve amounting almost to profound secrecy. It appears however that the capital amounts to £300,000, one-half of which has been paid up; that £120,000 have been lent on mortgage of the undertaking and the accruing tolls, by the exchequer loan bills commissioners, and that £10,000 have been lent by the board of works. In the Report of the directors for the year ending May 1843, the quantity of goods carried on the canal during the year then concluded, amounted to 13,454 tons, showing an increase in the year of about 3,000 tons; the amount of cash received for tolls was £1,188 10*s*. 11*d*., and the amount paid for directors' fees of attendance, office expences, and management in Ireland were, £1,252 12*s*. 11*d*. There were moreover about £1,000 more charged for the salary and disbursements of the resident engineer, law expences, &c.

The Suir Navigation Company was incorporated by act of parliament in the year 1836, for the purpose of improving the tidal waters of the river between the city of Waterford and the town of Carrick-on-Suir. Some of the principal obstacles to the navigation have been removed by an expenditure of about

£8,000, a bed of rocks has been blasted, several sand-banks have been removed, and a new channel has been cut for ships within a short distance of the town of Carrick. In consequence of these works, vessels of 180 tons are now enabled to take in and discharge their cargoes at the quays of Carrick. But though much has been effected by the judicious application of a small sum of money, there is still room for considerable improvement; and it is particularly to be regretted that the greatest expenditure incurred by the company has been applied to a cut so much narrower than the one originally proposed as to be but partially adapted to the wants of a fruitful, and, it is pleasant to add, a very thriving locality.

The Moy Navigation Act was passed in 1838, when a few spirited landowners, merchants of the town and neighbourhood of Ballina, in the county of Mayo, were appointed commissioners to straighten and deepen the course of the river, and to enable sea-borne vessels to reach the town of Ballina. The Moy, however, is valuable as a salmon fishery; and some difference of opinion between the proprietor of the fishery and the commissioners for the improvement of the river, as to the effects likely to be produced by the proposed works, have hitherto rendered the act inoperative.

The Tralee harbour and canal, originally in the hands of local commissioners appointed by the act 9 Geo. 4, c. 118, is now under the management of the Board of Works. The ground assigned for this change was the stale one—that the public money had been borrowed and spent, and the proposed improvement had not been executed. The Board therefore, on behalf of the public, entered upon the undertaking, after a grant had been made from its own funds of £4,220, and two loans amounting to £10,500 had been obtained from the Exchequer Bill Commissioners; but the former do not appear to have done much better than the private parties whom they have displaced. They have applied to parliament twice to renew the authority originally given for the construction of the works, and for these acts the country has

paid:—but no report or accounts respecting the Tralee harbour and canal are included in the papers annually presented to parliament. The public only knows that the undertaking remains in the hands of Government and is unfinished.

The total tonnage carried by all the canals * and navigable rivers in Ireland was computed by the Railway Commissioners, in 1837, at about 600,000 tons, and the amount of tolls at £71,242 a year,—assuming the charge for tonnage to be on the average 1*d.* per ton per mile. The total cost of the several navigations and canals, and of the improvements effected in navigable rivers was not estimated by the commissioners. Those noticed in this sketch cannot have cost less than £5,000,000: the income produced from their traffic in the year 1843 was about £80,000.

More modern works are now to be examined. The Dublin and Kingstown railway deserves the especial notice of those who would insist upon the superior advantages to be derived from government railways—for this work has been a government aid and control railway, in as fair and binding a sense of the expression as can be used. It is a short line of six miles, connecting the harbour of Kingstown with the city of Dublin. The railway was begun in the year 1831, after having been approved in its various details by the Government Board; and it was not completed without a liberal supply of the public money. The capital of the company is £200,000, in 2,000 shares of £100 each,—the full amount of which was well paid up during the progress of the undertaking. Besides this money, the Board of Works contributed two loans to the Company,—the one of £75,000, and the other of £40,000. This assistance, by the terms of the act of parliament under which it was given, conferred on that body the rights of mortgagees, with full powers of superintendence, direction

* Two or three other small canals and navigations have not been described, by reason of their insignificance; such as the Lismore canal, which is the private property of the Duke of Devonshire; the Maig navigation,—a short cut with a turning bridge, connecting the town of Adare with the river Shannon, &c.

and control: and what was the consequence? Unfortunately this—the Dublin and Kingstown railway was, in point of construction, one of the dearest and—while controlled by the Board of Works—one of the least profitable that has been made in the three kingdoms;—its cost per mile amounted to £60,000, while that of the Manchester and Liverpool, a first experiment, was only £50,000. Its receipts, which for a length of time had barely justified a dividend of 5 per cent., bore one of 6 per cent. in the month of August, 1844. About the same period a new spirit appeared amongst the directors. They determined to pay off the debt due to Government and to make the company independent. The character of the enterprise changed as soon as this intention became known. The stock, long at a discount, rose quickly in price and stood at a high premium before the details of the plan were published by which the incubus of Government assistance was finally thrown off. At the half-yearly meeting held in the spring of 1845, the dividend declared was 9 per cent., and the total amount of debt provided for after paying off the Government was £150,000.

In looking back to the origin and earlier progress of this the first railway constructed in Ireland, it is not to the directors and still less to the subscribers, that blame is to be imputed for the state of things occasionally presented to our notice. The great wonder is, that even so good a result should have been produced under all the circumstances of the case. Considerable talent and perseverance must have been required to ensure the completion of the line; and it would be ungenerous to deny its promoters credit for those qualities, or to conceal the honours they may justly claim for having carried out the undertaking upon the government system in Ireland to a finished state and having made it pay so respectable a dividend to the proprietors, while so largely indebted to the state and to private persons.

Attached to the Dublin and Kingstown railway is a small branch to Dalkey, one mile and three quarters long, worked

upon the atmospheric principle. For this experiment the Board of Works lent the company £25,000, at 5 per cent. Whether the whole of this sum was expended, or more, does not precisely appear by the report of the directors, dated August 1844. It was there recommended and afterwards agreed by the company, that £30,000 should be raised, at 4 per cent., to pay off £25,000, borrowed from the Board of Works. A few months afterwards appeared the prospectus of the Kingstown and Bray railway, in which the cost price of the Dalkey branch was declared to be £35,000. For the period of the year during which the branch had been opened, the receipts were £1,574 13*s.* 8*d.*, and the expenses £758 0*s.* 1*d.*, upon which the report claimed a surplus of £836 13*s.* 7*d.* But if interest on the loan of £25,000 had been taken into the account, a deficiency of more than £400 would have been shown; and if £35,000 had been the real cost of the undertaking, the deficiency would have been still greater. Should the Company, however, proceed with the published plan of an extended line to Bray, means will soon be in their hands to balance this account. For the proposed railway must prove a lucrative one, and add enormously to the value of the land through which it passes.*

The Ulster railway was the first enterprise of the kind undertaken and completed in Ireland by a joint-stock company, who relying from the outset upon their own resources and rectitude, were animated by a spirit of manly indifference to the patronage or disfavour of government. The work, both in point of design and execution, affords another striking proof of the intelligence and the energy by which Belfast has been rendered the principal seat of Irish commerce, manufactures, and wealth. As originally projected, the line was intended to run to Armagh; but it has not up to the present date

* The Dublin and Kingstown Railway has extended the Metropolis of Ireland a distance of seven miles. The Railway has literally drawn the town along with it. The Longford and De Vesci estates at Kingstown, which were valued before the Railway was made at £6,000 a year, are now rated to the poor at the annual value of £100,000 and upwards.

been carried farther than Portadown. Its length is 25 miles; the capital of the company is £500,000; and the total cost of the undertaking has been £348,646. Of this expenditure, the only portion derived from government was a small loan of £20,000. According to the two reports of the directors, dated March and September, 1844, the gross income for the former period was £13,453 4*s.*; and for the latter, £13,856 17*s.* 10*d.*; and the expense of working the line having stood for each half-year respectively at the sums of £4,698 19*s.* 3*d.*, and £5,401 5*s.* 1*d.*: the total net income for the year amounted to £17,235 5*s.*; and the rate of dividend was £5 1*s.* 8*d.* per cent. upon the paid-up capital. It appeared by the same documents, that the actual debt of the company then consisted only of a balance due to the Board of Works of the small loan already mentioned.

Contrasting the Dublin and Kingstown and the Ulster railways,—seeing that the one which is only 6 miles long has cost more money than the other, which is 25, and observing that the latter is incumbered with no heavier debt than £17,000, while the former owes £155,048, it is impossible not to feel that in point of spirit, economy and effect, the hardy measures of private enterprise are always likely to prove far superior to the aid and control system with which the English government has so long harassed Ireland.

But there is still a stronger case to be brought forward. The Dublin and Drogheda railway was projected in the year 1835, and legalised by an act passed in the following session of parliament. An amended act, in 1837, reduced the original estimate from £600,000 to £450,000: but the whole was disparaged in pointed terms, during the course of the same year, by the report of the Railway Commissioners. That injudicious stigma paralysed the undertaking for several years. Fortunately for the country, a considerable portion of the capital had been subscribed at Manchester; and the English shareholders, unused to the Irish practice of crushing independent exertions for the promotion of local improvements

by the pressure of government authority, and the application of the public money to a competing enterprise, resolved to proceed as they had begun. Success crowned their perseverance: they brought their labours to an honourable conclusion, and have conferred an invaluable benefit upon the country. The whole line of this railway, 31¾ miles long, was opened for traffic in May 1844, at a cost of £377,165 exclusive of plant,—by which the directors of the company and their accomplished engineer, Sir J. Macneill, enjoyed the satisfaction of claiming credit from the proprietary and the public for two very uncommon and praiseworthy acts of merit—making the line within the estimated cost of £14,000 a mile;* and opening it for public traffic within the appointed time.

The strength of the only cases in which private enterprise had been able up to this date to throw off in Ireland the restraints imposed by government upon it has proved so imposing, and the impulse given by its action to the emancipated energies of the country, has been so considerable, that the question at issue between the two systems might almost be regarded as at last finally decided and disposed of. But no full history of the administration of Irish public works has been written,—no detailed accounts have been collected of the amount, or the application of the various large sums of money intrusted by the legislature to this mode of management; the government system, moreover, has not been abandoned; arguments and appeals in its favour are frequently presented to the public eye; senators still are, and for a length of time will surely be found anxious to retain a set of establishments propitious in so many respects to personal and party interests;—it may therefore be useful, though perhaps tedious, to revert once more to the past; and having

* By the printed accounts produced with the Report, dated August 29, 1844, it appears that the total receipts for the construction of the works, &c., had been £504,777 19*s.*, and the total expenditure £500,971 18*s.* 5*d.*; and further, that an existing debt of £96,608 would require to be increased by a further outlay for stations and stock to the amount of £80,000.—Total additional cost £176,608.

shown the actual condition of the several joint-stock enterprises in Ireland, to sketch the gradual progress of mismanagement and abuse in the proceedings of the successive boards and commissions under which, waste, delinquency, corruption, insolvency and failure have more or less prevailed in every undertaking with which they have interfered,—boards and commissions, which have authorized and encouraged the expenditure of about five millions sterling upon a few navigations and canals, the total receipts from which cannot be estimated at more than £80,000 a year.

It should be constantly borne in mind that this outlay, large and unproductive as it unfortunately is, does not constitute the gravest of the evils we have to deprecate. The system not only deteriorated the Irish character, but operated as a positive bar to improvement. The practice of making the progress of every undertaking depend upon the support given to it by government, contracted the views, and humbled the spirit of all classes, mercantile as well as agricultural. It deprived them, too, of no small portion of that independence, or, rather, self-dependence, which is essential to greatness. Men, reared in the habit of looking for the helping hand of the minister of the day to lead them through every difficulty, and reach for them every attainable advantage, will rarely be found to rely for success upon their own exertions. They may stand in no actual need of the requisite funds or talent, but they will be sure to lack the skill and energy to use them well. It is in vain to indicate to such persons the valuable consequences that must ensue, if they will only exercise the powers they possess, and bring the resources at their command into proper action. They are unaccustomed to pursuits of the kind in the only form in which they can be truly honourable or securely prosperous. As far back as their memories serve, these have always been government concerns; by far the greater portion of the money they have seen applied to them, has been public money;—they further know that it has been wasted,—they cannot find a single venture

thus set up which has repaid the promoters; and hav
been so warned and repeatedly instructed, they have
unfrequently been disposed to treat a proposal to embark
a new project as a deliberate attempt at imposition.

The Irish Parliament had existed for a length of time bef
it began to pay attention to those measures of internal i
provement, without which it is impossible to promote t
export and import trade and navigation of a maritime count
We may also observe, that the first efforts made in this dir
tion were crude in the extreme, and deeply impregnat
with the vicious character of the general government. A
cording to Newenham, the only legislative provisions of t
class passed between the years 1665 and 1786 inclusive, we
"An Act for enclosing the Strand on the north side of t
River Liffey," 1 Geo. II., c. 26:—"An Act for cleansi
the Ports, Harbours, and rivers of Cork, Galway, Belfa
Sligo, and Drogheda, and directing Ballast-offices therei
3 Geo. II., c. 21:—"An Act for promoting the Trade of Du
lin, by rendering its Harbour and Port more commodiou
26 Geo. III., c. 19.

The grants of the Irish Parliament during the same peri
for harbours, piers, &c., were as follow:—

1756	£2,000 0 0	Skerries Pier.
1757	500 0 0	Bangor Pier
1765	1,200 0 0	Killeleagh Pier.
——	1,000 0 0	Dingle Bay.
——	1,300 0 0	Sligo Harbour.
1771	500 0 0	Galway Quay.
1775	500 0 0	Portrane Pier.
1783	600 0 0	Liscanner.
1761 to 1783	1,000 0 0	Galway Harbour.
	500 0 0	Carrickfergus Quay.
	21,500 0 0	Cork Harbour.
	1,000 0 0	Dublin Harbour.
1761 1763 1765	6,752 0 0	Balbriggan Pier.
	£38,352 0 0	

Brought forward		£38,352	0	0	
1756 to 1765		18,500	0	0	Dunleary Pier.
1756 and 1767		1,870	0	0	Enver Pier.
1771 and 1777		1,500	0	0	Youghal Harbour.
1781		500	0	0	Dungarvan Quay.
1765		2,500	0	0	Limerick Quay.
1767 1771 1777		2,800	0	0	Carlingford Bay, Wet-dock and Piers.
1767		2,000	0	0	Dundalk Harbour,
	and £400 a year, for 8 years.	3,200	0	0	
1765 1767 1771		4,590	15	0	Londonderry Quay.
1745 1763		13,290	19	6½	Ballycastle Harbour.
1759 to 1767		9,264	9	8	Wicklow Harbour.
1765 1777		2,705	0	0	Donaghadee Harbour.
		£101,073	4	2½	

According to the same author it would be difficult to conjecture, how much of this sum was faithfully expended on the different works for which it was destined. We may suspect, however, that little more than one-half, if so much, was properly applied; for it is well known, that among those in the Irish community who enjoyed the patronage of government, there has almost uniformly been, with a few individual exceptions, not only a shameful want of public spirit, but an inveterate propensity to outrageous jobbing.

For an account of the illusive and ineffectual acts passed to encourage internal navigation, we must still have recourse to Newenham. The Commons first adopted a right principle, but unfortunately they applied it in a wrong direction. By the act 2 Geo. I. c. 12,* four gentlemen, George Frizell, Henry Crossdal, Samuel Eyre, and John Ringrose, were empowered to make the river Shannon navigable, at their own expense, from Limerick to Carrick-drum-rusk, a distance of 100 miles, and to demand a toll of 4*d.* per ton per mile on all goods, wares, and merchandise conveyed on the improved navigation. Everything counteracted the success of this bold undertaking. In the first place, the Shannon, though the largest river in Ireland, is the least favourable to the current of trade. There was, besides, no adequate traffic along its course,

* The scale of operations embraced by this act was amazingly comprehensive: its authors had the twofold object in view of prosecuting internal navigation and draining and improving the bogs and waste lands, which were much more extensive in Ireland at the beginning of the last century, than they now are. The intended works were to render navigable part of the Liffey and the Rye, part of the Boyne, the Mungah and Brosna, and to make canals between them, bearing south-west from Dublin, and falling into the Shannon at Banagher; to make the Barrow navigable from Ross to the Grand Canal leading from Dublin to Limerick; to make the Upper and Lower Bann navigable from Newry to Coleraine; to make the Nore navigable, or extend the navigation thereof from Waterford and Ross to the Grand Canal at Eyre-court; to make the Liffey navigable from Dublin to Kilcullen, and thence into the Barrow at Carlow; to make the Blackwater navigable from Youghal to Newmarket; to make the Foyle and part of the Finnderg navigable from Londonderry to Omagh; to make the Erne navigable from Ballyshannon to Killishandra; to make navigable, or employ in navigations, the Martin, the Cloydagh, part of the Blackwater, the Ownbeg and Maig, between Cork and Limerick; to make the Uncion, the Arrow, and part of the Boyle navigable from Sligo into the Shannon at Carrick; to perfect a navigation by the Corb, Mask, and Moy, from Galway to Killala; to make the Slaney navigable from Wexford to Baltinglass; to make the Suir navigable to Roscrea; to make the Colgan navigable, or extend its navigation, from Galway into the Shannon; to make the Suck navigable from Castlereagh into the Shannon: to make the Inny navigable from Lough Shelan into the Shannon; to make the Lee navigable from Cork to Macroom; to make the Bandon navigable from Kinsale to Dunmanway; and to make the Lane navigable from Castlemaine harbour to Ross Castle—in all thirty-two rivers, which, with the projected canals in connexion with them, were to give upwards of one thousand miles of inland navigation, and to place 10,000 square miles, or 6,400,000 acres within five miles of navigable river or canal.—*Newenham's View of Ireland*, p. 27.

to render the improvement remunerative. The tolls, moreover, were so high as to discourage trade, and the heavy rate of interest, eight per cent., charged upon the money, which the improvers had to borrow in order to carry on their works, rendered the stated rate of toll indispensable. Thus, the first effort made to improve the Shannon was abortive.

The act, 3 Geo. II. c. 3, was passed to supply a remedy for this failure. The principle originally applied to the undertaking was wholly changed by this second enactment, which recited that the expense was discouraging to individuals, and that it was expedient that works of public benefit and advantage should be carried on by means of a public fund to be set apart for the purpose. In order to form this fund, taxes were imposed, for a term of twenty-one years, of 20*s.* on four-wheeled, and 5*s.* on two-wheeled carriages; 6*d.* the pack on imported playing-cards; 5*s.* the pair on dice; and 6*d.* the ounce on gold and silver plate. The produce of these taxes, at the end of the twenty-one years for which they were imposed, was £63,128 9*s.* 7¼*d.*, or on the average £3,006. 2*s.* 4½*d.* a year.

With this small revenue, with the Lord Lieutenant, the Lord Chancellor, the four Protestant archbishops, and eighty peers and members of parliament, twenty for each province, as commissioners, and with a power in the act to apply the fund created to the improvement of tillage as well as navigation,—it will be readily supposed that but little was done for any works of the one kind or the other.

Twenty-two years afterwards the act, 25 Geo. II. c. 10, transformed these commissioners into the Corporation for promoting and carrying on Inland Navigation. This body was authorized to hold courts in Dublin four times a year, to elect from amongst its members twenty-four assistants vested with extensive powers, to appoint suitable officers, to increase their salaries and fees, and to cause the country to be surveyed; to lay out new roads from mines to navigations, to make any river navigable, to demolish weirs, &c. But, according

to Newenham, it must have been evident to every reflecting man that the business of inland navigation could not have been more expeditiously or skilfully conducted under this than under the former acts;—on the contrary, jobbing and peculation were rather facilitated than precluded by it. It proved therefore as illusive in effect as the others.

Every step taken in legislation testified the inefficacy of the state system. The act 29 Geo. II. c. 10, after complaining of the difficulty experienced in procuring three out of the eighty-six members of the corporation to meet and adjust disputes with landowners, and also the general incompetency of the body to deal satisfactorily with questions of that nature, directed that persons, not members of the corporation, should be employed to transact this business. The act 3 Geo. III. allowed so much of the duties already specified as should be found necessary, to be applied to build and furnish a house for the meeting and accommodation of the corporation. Thus, again, says Newenham, was a wide field opened for jobbing and peculation, while the business of inland navigation was left in its former state.

It would be curious, but very tedious, to trace the proceedings of this ill-chosen Board, step by step, and to examine closely the many great schemes projected and the few small improvements actually accomplished under its auspices. Incessant legislation became indispensable to sustain the establishment; but at last a reaction set in. About the year 1766, the faith of parliament and the public evidently began to be shaken; doubts arose as to the soundness of the policy which maintained such a body in existence; and it became a question, whether any real benefits had been conferred by it. Several parties, interested in works proceeding under the authority of the board, availed themselves of this state of public opinion to revive the salutary action of private enterprise. The act 7 Geo. III. c. 26, incorporated a company for making the Shannon navigable to Killaloe, and directed the inland board to deliver up all money and materials belonging to the under-

taking. A power of control, however, was specifically reserved to the Board, and the right of interference thus given had the usual depressing influence, and proved an insuperable obstacle in the way of prosperity.

Further evidence of the bad working of the state system was afforded by the Act 11 and 12 Geo. III. c. 4, which provided, that in case a navigation appeared to be too expensive, &c. for the public alone, the Inland Corporation, upon a scheme approved for the purpose, might transfer it from their sole charge to any private company, undertaking to pay the estimated sum required for its completion. The Board, however, was still to retain the power to aid and control the works so transferred, but the aid was to be limited to one-sixth of the estimate, and that was only to be given upon proof being made that the subscribers had paid in and expended five times the amount of the sum demanded, together with all former aids. With a view, evidently, of still further encouraging private enterprise, it was enacted, that any number of persons might enter into a contract of partnership for works of inland navigation, with such stock or capital as they should deem sufficient. The Grand Canal Company was incorporated during the same year, and became invested, as far as the portions of that undertaking then executed, or in progress, were concerned, with all the powers and property of the Inland Board. By this act another blow was struck at the dominion of that now rotten corporation. Having issued warrants for the payment of money far beyond its means, it had fallen heavily into debt, and it was at last forbidden to issue new warrants for raising or paying money until all outstanding warrants and debts should be discharged; and afterwards, unless funds should be in hand to pay all warrants as issued. For these purposes the dice duties formerly imposed were continued, but salaries, rents, and the repair of breaches were to be satisfied as usual; and thus the staff being kept up, the machinery of abuse and corruption remained in full play. As if to show, that in restraining the corporation it was

not intended to restrict the progress of public works by withdrawing government aid from them, the act granted £10,000 for the improvement of Lough Swilly.

The longer this board continued to exist, the more corrupt and noxious it became. The total amount of the duties for fifty-six years ended in 1786, when its dissolution—one of the modified improvements that succeeded the establishment of parliamentary independence—took place, was £382,292, and the amount of the parliamentary grants made to it during the same period, was £227,629,—together, £609,961, or, on the average, £10,892 a year. Had the whole of this sum, according to Newenham, been faithfully or skilfully expended on navigations only, it might perhaps have produced some effect; but it was convertible, as already stated, to other purposes also, and subjected to deductions for salaries, fees, rents, and buildings. Hence the residue left was small; and even that was not only most injudiciously applied, but in part, as there is strong reason to suspect, converted by individuals to private purposes. In a report made to parliament, it was declared that the persons to whom the money warrants were issued were accountable to the corporation, but that several of them never passed accounts. Nevertheless no dissolution took place until the year 1786; and, perhaps, more instructive means of indicating its true character cannot be offered, than are supplied by the act 27 Geo. III. which put an end to it altogether, and made null and void all the powers exercised by it or its agents. The several canals, navigations, lands, &c., &c., belonging to it, were vested temporarily in the local parties connected with them. All books, plans, estimates, and accounts, were ordered to be delivered up to the auditor of impress accounts at the Treasury, in twenty-one days, and the salaries of the secretary and treasurer for ten years were forfeited to the King. Separate companies were incorporated for the Newry, Boyne, Barrow, Shannon, and Tyrone navigations, and to them were given all the rights, privileges, tolls, &c., held by the board.

There is, perhaps, no one reason which ought to inspire us

with more anxiety to nip abuses in the bud, or, rather, to make us more determined in resisting the introduction of any measures out of which abuses are likely to shoot, than the painful reflection that we can seldom rid ourselves of an abuse, even when most gross, without inflicting a positive amount of damage where it is frequently undeserved. It happens in this case, as in that of a field or garden, which, through the neglect or ignorance of those to whom its cultivation has been intrusted, becomes overrun with weeds or vermin. In clearing away what is rank and noxious, we tear up the roots of generous plants, and brush the bloom and sap from many a leaf and stem, which, suddenly deprived of their customary support, too frequently wither away and die. The suppression of the Board of Inland Navigation, by breaking up all existing arrangements for the maintenance of the different works in progress, and throwing each one upon its own resources for support, naturally caused general confusion and greatly distressed undertakings which had hitherto drawn their main sustenance from extraneous quarters. The invariable accompaniment of sudden or violent changes of system was now presented. Much money had been lost under the old mode of proceeding, and still more money was expended, as compensation to those whom the new arrangement deprived of their usual resources. The number of instances in which this improvident practice has since been repeated, furnishes perhaps the most extraordinary feature in the whole case. Petitions for relief were addressed to the Irish parliament; and it was suggested in them, that it would be equitable to provide that the government should issue debentures against the revenue accruing from the duties which had been imposed for the promotion of these improvements, and that the proceeds should be fairly distributed, by law, amongst the new companies. This led to the act 29 Geo. III. c. 33, which provided that debentures should be issued for £20,000 to the Barrow navigation; £8,300 to the Shannon navigation from Limerick to Killaloe; £57,100 to the Grand Canal Company, for an extension to the Shannon near Banagher;

£10,000 to the same company, for an extension to the Liffey; £66,000 to the Royal Canal Company, for a canal from Dublin to Tarmonbarry on the Shannon; £12,500 for a canal from Drogheda to Trim; 4,000 to the Newry canal; £2,400 for a canal from Osberstown to Naas; £3,300 for a canal from Osberstown to Kilcullen; and £5,100 for a canal from Belturbet to Lough Erne.

Other measures of the Irish parliament, connected with enterprises of this class, were the act 29 Geo. III. c. 3, which amended and new-modelled the Grand Canal Act, and the act 30 Geo. III. c. 20, for the better enabling the Royal Canal Company to carry on its works; as to which it may with safety be incidentally added, that no such body could have come into existence under any other condition of things than that produced by a state system of directing the progress of public works. There was also, an act creating the Lough Erne and Ballyshannon Navigation Company, from Belturbet to Lough Erne, in the terms of the act 29 Geo. III. c. 33; and the Hibernian Mining Company was incorporated by the act, 32 Geo. III. c. 24, with powers for opening Arklow harbour, and making a canal from Meetings Bridge, and thence to the Kilkenny collieries. This last undertaking never proceeded beyond the purchase of some land required for the work, which lapsed to the proprietors after having been paid for with the public money.

From these data, and other particulars lying in their track, we are able to estimate the amount of money applied to public works, before the legislative union. Up to the year 1777, there had been voted,—as already mentioned, upon the authority of Newenham, ... £101,073

Twenty-one years' produce of the taxes mentioned at page 315 gave 63,128

Fifty-six years' produce of the duties received by the Inland Navigation Board, realised, as stated at page 317 609,961

£774,162

	Brought forward .	£774,162

The following sums are taken from Irish Statutes:—

INLAND NAVIGATIONS.

3 Geo. II. c. 3	£63,128	
29 Geo. II. c. 10	34,800	
33 Geo. II. c. 1	28,500	
1 Geo. III.	36,000	
3 Geo. III.	17,500	
5 Geo. III.	28,403	
7 Geo. III.	21,506	
11 Geo. III.	6,714	
12 Geo. III.	3,500	
23 Geo. III.	2,000	
	———	242,051

BARROW NAVIGATION.

33 Geo. II. c. 1	£2,000	
1 Geo. III.	2,000	
3 Geo. III.	1,800	
5 Geo. III.	3,000	
7 Geo. III.	2,000	
11 Geo. III.	1,000	
29 Geo. III. c. 33	20,000	
	———	31,800
		1,048,013

GRAND CANAL.

29 Geo. II.	£20,000	
31 Geo. II.	17,000	
33 Geo. II.	10,000	
1 Geo. III.	10,000	
3 Geo. III.	6,000	
11 and 12 Geo. III. . . .	2,000	
16 and 17 Geo. III. . . .	1,000	
27 Geo. III. c. 30	12,000	
29 Geo. III. c. 33 (extension to Banagher)	57,100	
	———	135,100
Brought forward	£135,100	
31 Geo. III. c. 42 — ditto to Circular Road .	10,000	
31 Geo. III. c. 42 — ditto to Junction between Athy and Barrow . .	2,120	
31 Geo. III. c. 42 — ditto to Kilkenny Collieries	4,370	
31 Geo. III. c. 42 — ditto to Ballyrider . .	1,204	
31 Geo. III. c. 42 — ditto to finish Docks .	22,000	
38 Geo. III. c. 79 . . .	30,000	
	———	204,794
Carried forward		£1,387,907

Brought forward		£1,387,907
Tyrone and Newry Navigation.		
27 Geo. II. c. 1	£4,000	
29 Geo. II. c. 1	4,000	
1 Geo. III. c. 1	3,000	
3 Geo. III. c. 3	4,000	
5 Geo. III.	1,154 5,000	
7 Geo. III	5,000	
11 Geo. III. c. 4	3,000	
11 and 12 Geo. III. c. 1	1,500	
23 and 24 Geo. III. c. 1	2,000	
29 Geo. III. c. 1	2,000	
		34,654
Boyne Navigation.		
33 Geo. II. c. 1	£2,000	
1 Geo. III.	2,000	
21 and 22 Geo. III.	1,000	
23 and 24 Geo. III.	1,000	
29 Geo. III. c. 33	12,500	
		18,500
Royal Canal.		
1789	£66,000	
1792	7,500	
1798	25,000	
		98,500
		£1,539,561

Amongst the numerous palliatives administered by the government, for the purpose of reconciling the Irish to the legislative union, was a grant of half-a-million sterling, to promote public works. The expenditure of this sum was intrusted, as of old, to a set of Directors-general of Inland Navigation, who are clearly shown, in more than one parliamentary return, to have proceeded in their office as if this money had been given less for the public use than for their personal gratification and benefit. They do not appear to have done anything but pay salaries up to the year 1810; when they proposed a series of general surveys in various parts of the interior of the country, to ascertain by what lines canals, with ample supplies of water, might be carried, "with a view

of assisting noblemen and gentlemen in their objects for the improvement of the country." This wild scheme was entertained by the Irish government; but the result differed in no respect from the many other devices of the same kind which had been so repeatedly devoted to the satisfaction of the same interests. A good deal of expense was incurred, and a good deal of information acquired. Extensive lines of canal to the north and south were suggested; and their courses were to have been much in the direction subsequently recommended for the government railways. The proposal was grand, but nothing came of it. The improving noblemen and gentlemen of that period, like their heirs and successors of a later day, looked to government for the money to make the canals; and as the government did not happen to give it, the noblemen and gentlemen went without their canals. The idea of improving the country at the smallest risk to their own purses had not then found its way into the category of duties which the patriotism of Irish landlords had prescribed to the numerous members of their body.

In the year 1811, the bankruptcy of the Royal Canal Company under circumstances of scandalous delinquency recalled the particular attention of parliament to the utter inefficiency of the prevailing system, and exposed a variety of details which laid completely bare the worthlessness of the government board, either as a means of giving a proper direction to the spirit of private enterprise, or of controlling the abuses of the joint-stock companies, unwisely brought into existence by its countenance and authority. Upon this occasion the directors of the Royal Canal Company confessed that the holders of their debentures for the most part were poor people, orphans and widows,—estimated in round numbers at not less than 2,000.—The majority of this large body of sufferers had bought some at a premium, from the directors themselves, who were the original loan-holders, and were sellers also with a perfect knowledge of the insolvency of the undertaking. The Government Board of Inland Navigation appears to have been intimately acquainted with the particulars of this flagrant imposition—they had seen

this company expend £1,373,635; they knew its revenue barely exceeded £15,000 a year—and yet they permitted dividends of 2 per cent. to be declared out of the monies borrowed from poor orphans and widows. How far the forbearance shown to the guilty directors of the Royal Canal may have emanated from a tender conviction of the unsoundness of their own administration, is a problem now difficult of precise solution. We know, however, that their disbursements of the half-million sterling granted at the time of the Union had proceeded, up to the period now under consideration, March 1811, as follows:—

For the salaries and expenses of their own establishment, and the four navigations in their charge	£172,238	17	11½
To the Royal Canal	98,831	6	7
The Grand Canal Company, to improve the Middle Shannon	53,231	17	8
The Barrow Navigation	41,881	8	9½
The Corporation of Dublin, to improve the Port of Dublin	15,463	18	3½
Sums appropriated, but not paid	9,875	0	0
In the Bank of Ireland	9,147	10	6½
Poundage and bills at the Treasury	5,587	10	2½
Balance not received or appropiated	93,742	10	0
	£500,000	0	0

The third great experiment of government interference with private enterprise began to be tried in the year 1831. Mr. Spring Rice, now Lord Monteagle, having presided over the inquiries of a Committee of the House of Commons,—which embraced an infinite variety of topics, and amassed an unexampled fund of information,—produced the act 1 & 2 Will. 4, c. 33, by which the Directors-general of Inland Navigation were at last got rid of, and three Commissioners of Public Works were appointed in their stead, with enlarged salaries* and powers, a more extended range of duties, ad-

* The old directors were paid £500 a year: the present commissioners receive—chief, £1,200; and two juniors £600 each.

ditional patronage, and a sum of £500,000, to be expended in a re-invigorated career of mingled encouragement and control.

The office of Commissioner of Public Works embraces numerous services of very different kinds. The whole, however, may be reduced into two classes,—positive, and incidental. Under the several acts of parliament by which the post has been created and continued, certain definite functions are assigned to the commissioners; and the manner in which these are performed is communicated to both Houses in an annual report. But from time to time inquiries and investigations, akin to their ordinary pursuits, have been demanded; and for them, upon the grounds of convenience and familiarity with the subject-matter, one or more of the commissioners has usually been nominated. In this way Commissioners of Public Works have become Shannon Navigation and Railway Commissioners; and they have, until very recently, been so mixed up and identified with every project for the improvement of the country as to have been in no inconsiderable degree the arbiters of its destiny.

The establishment (according to the evidence given by Sir J. Burgoyne to the Commons Committee on Public Works, Ireland, in the year 1835) consisted originally of a chairman and two commissioners; a secretary, with three clerks; an accountant, with two clerks; and an engineer, who is also architect to the board. The total cost of these functionaries, according to the same authority, is about £5,500 a year.* The various services for which this money is paid, include the making of loans and grants for public works in the terms of the acts of parliament.

* The expense doubtless was as here stated by the chairman, but the sources from which that amount was obtained are obscure. There is a vote taken always in the annual estimates, under the head of public works, Ireland,—and the sum is generally about £2,700. The accounts of the commissioners appended to their parliamentary reports, show expenses, under the heads of salaries, for incidents, travelling, &c., to the extent, one year with another, of about £4,500. How the difference is made up between the parliamentary vote and the actual expense does not appear, nor where the odd thousands are obtained, which the chairman declares, and the annual reports prove, to be the actual cost over and above the parliamentary vote. It is probably a charge upon the Consolidated Fund.

passed for those purposes; obtaining repayments of old loans, and superintending fisheries, certain inland navigations, roads, bridges, harbours, the government buildings in Dublin, lunatic asylums, &c. It further appears by the Twelfth Report of the Commissioners, that the following is the sum-total received and applied under the chief head of their operations—making loans and grants for public works:—

LOANS.

1st. Original appropriation by the act 1 & 2 Will. IV., c. 33 . . .				£500,000	0	0
2nd. Additional sum by the act 6 & 7 Will. IV., c. 108, but not considered re-issuable .				100,000	0	0
3rd. A portion of the monies received in repayment of principal re-issued under the act 1 & 2 Will. IV., c. 33, s. 60 . . .				244,650	0	0
4th. Out of the sum of £50,000, made applicable to public works in Ireland, under the act of 1 & 2 Vict. c. 88, s. 14, there was appropriated the further sum of . . .				46,000	0	0
5th. By the act of 6 & 7 Vict. c. 44, which put a stop to all issues of Exchequer bills, and consequently of re-issues under the act 1 & 2 Will. IV., c. 33, a new appropriation of a sum of £15,000 per quarter was charged upon the consolidated fund, for issues on account of public works in Ireland, and to continue for the space of four years, commencing on 10th October, 1843 .						
Under this act the occurrence of two quarters has added to the fund, 10th October, and 5th January				30,000	0	0
				920,650	0	0
The issues out of these funds have been, Exchequer bills to 10th October, 1843 .	890,650	0	0			
By the Commissioners for Reduction of the National Debt, to 5th January . .	4,050	0	0			
				894,700	0	0
Leaving a balance, not yet issued, of .				£25,950	0	0

The net amount of loans sanctioned, acted on, or in operation (including £850, advanced pursuant to 1 Vict.) to 5th January is . .		£932,601	17 0
Deduct issues		894,700	0 0
Balance due on loans . . .		37,901	17 0
Deduct balance of fund . . .		25,950	0 0
The difference or excess . . . will not be required until long after a fund shall have arisen sufficient to meet it.		11,951	17 0
The whole amount transferred to her Majesty's Exchequer, to 5th January, has been, viz.			
Principal repayment of .	£398,657 0 0		
Interest, payment of .	135,555 18 8		
		534,212	18 8
From net amount of loans . . .		932,601	17 0
Deduct amount issued under 6 & 7 Will. IV., the repayment of which has been directed through another channel	100,000 0 0		
Deduct also principal repaid, as above . .	398,657 0 0		
		498,657	0 0
Leaving a balance of loans yet outstanding .		433,944	17 0
Thus it will be perceived that the balances of loans outstanding have, by means of repayment of principal, been far reduced below the amount .		546,000	0 0
Which before the passing of the late act would have been re-issuable . . .		112,055	3 0

GRANTS.

Sums made applicable to grants by sundry enactments:	
1st. The fund originally appropriated by the act 1 & 2 Will. IV., c. 33 . . .	£50,000 0 0
2nd. A further sum provided by the act 1 Vict. c. 21	50,000 0 0
3rd. A portion of the sum of £50,000, provided by the act 1 & 2 Vict. c. 88 . .	4,000 0 0
4th. A sum provided by the 17th section of the 6 & 7 Vict. c. 44	21,000 0 0
	£125,000 0 0

This statement of accounts enables us to see how the system has worked in some essential particulars. For twelve years the total amount of loans and grants stands thus,—£920,650+ £135,000=£1,055,650. The money actually issued, moreover, on loan has been £894,400:* of which £398,657 are set forth as having been repaid and £433,944 as outstanding, while interest has been received to the amount of £135,555 18s. 3d.; a small sum when the rate charged, 5 per cent. per annum, is borne in mind.

The expenses of the establishment must be added to these amounts, if the full sum contributed by the country for public works in Ireland is to be calculated with accuracy. These expenses† including not solely the amounts of the votes taken every year in the Irish Estimates, but the sums entered as

* The sums here given—£920,650; £894,700; £398,657; and £433,944, are taken from the twelfth report (page 2); but at the foot of another account in the same document (page 15) the amount of loans sanctioned is returned at £963,515 0s. 10d.; of loans issued, £556,950; and of repayments, £434,955 13s. 10d.

† EXPENDITURE of the COMMISSIONERS of PUBLIC WORKS in IRELAND, extracted from their Annual Report.

1832.	Salaries and incidents	£3,930	10	2
1833.	Salaries and incidents	5,067	11	5
	Law expenses	547	17	6
1834.	Salaries and incidents	2,751	9	0
	Law expenses	214	4	2
	Law expenses for deposits paid to engineers, &c. on applications for loans and grants	108	1	8
1835.	Salaries and incidents	3,008	5	10
	Law expenses	265	16	5
1836.	Salaries and incidents	3,264	6	9
	Travelling expenses	139	16	2
1837.	Salaries and incidents	3,652	5	7
	Law expenses	218	10	1
1838.	Salaries and incidents	3,652	8	7
	Law expenses	181	2	10
1839.	Salaries and incidents	3,796	3	2
	Law expenses	574	9	8
1840.	Salaries and incidents	3,918	12	7
	Law expenses	465	6	9
1841.	Salaries and incidents	3,806	1	1
	Law expenses	882	8	2
1842.	Salaries and incidents	3,678	15	7
	Law expenses	1,900	17	1
1843.	Salaries and incidents	6,519	6	10
	Law expenses	264	12	4
		£52,808	19	5

having been actually expended in the annual Reports of the Commissioners, show a total of £52,808 19*s.* 5*d.* paid since the act 1 & 2 Will. IV. c. 33 was passed; which, added to £1,045,650, makes the total contribution £1,095,458 19*s.* 5*d.*

By examining the details furnished in the appendix to each report, we perceive that the sums returned under the head of repayments and interest, have mainly proceeded from loans advanced for making roads at the instance of grand juries on the security of county rates. So far this principle of lending money for the public use may be considered safe; and the object being decidedly beneficial, the whole principle and practice will deserve commendation. There are persons, it is true, to be found from time to time who complain that individual and political considerations have led to not a few undue preferences even in this branch of the service, and there may be tenable grounds for reproaches of the kind. Where open and unblushing corruption has long been the order of the day in government offices, it is but natural to suspect that the taint of its influence should linger in many a public department. Nevertheless the principle being sound, and its operation in the main efficient, our future care should be directed against the recurrence of the old abuses. Upon the whole we appear to be justified in affirming, that wherever a district is found susceptible of an improvement of this kind, and the inhabitants are content to pay for it out of their own rates, the power to borrow the necessary capital for the work should be placed within their reach. Nor perhaps are roads the only public works to which the people should be restricted. Of them at least it is not too much to record, that, in many instances where they have been constructed wholly at the public expense, the country has not lost money. The encreased consumption of exciseable articles, in districts thus opened for the first time to the progress of civilization and commerce, has been known to produce to the revenue in a few years a sum greater than that expended upon the roads themselves.*

* The evidence of Mr. Nimmo, Mr. Wye Williams, Mr. Weale, of the Woods and Forests, and other unquestionable authorities, repeated before different parliamentary committees, is conclusive upon this point.

This fact involves another important conclusion: where a district is too poor to tax itself in this respect, the state is bound to provide the improvement. In this view of the case, some remarks in the twelfth report of the Commissioners claim at once the most serious and favourable consideration:—

"The principal object to which this (grant) fund has been applied is the opening up of wild uncultivated districts, capable of improvement, but from which they are shut out by the want of the means of communication for the most ordinary vehicles. By the formation of roads, facility is given for the introduction of manures best adapted to the amelioration of the soil of the districts with which they communicate, and for the conveyance of the produce to fair and market. Much has been done, with the aid of this fund, towards the improvement of the condition of the people in several parts of the country,—but much more remains to be done: and it is to be apprehended that the districts standing most in need of this description of assistance are, from local circumstances, the least likely to be brought under the consideration or the power of grand juries to relieve them.

"The execution of such works leads to the adoption of improved modes of cultivation, and the abandonment of the rude and primitive implements in common use; and opens to the officers of justice and local authorities, places which had been the secure haunt and impenetrable refuge of the outlaw and the robber. We conceive that the advantages of affording aid to the promotion of such works in a statistical, moral, or political point of view, are too obvious to make it necessary to dwell on the subject at greater length.

"We are also under a conviction, that without the aid of a Grant Fund of this nature, very many measures of improvement that are to be effected by it will remain unaccomplished for many years."*

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* Another page in an earlier (the second) report, expressed the same good opinions:—

"In Ireland, where agriculture affords the principal means of natural wealth, the opening of new districts, by the construction of new roads upon well-considered plans, gives to an accumulative source of productive industry an immense power, and at little cost.

"Such are the effects, while the means are equally encouraging.

"There are few countries where good roads can be made so readily; and at so little expense. The levels are usually easy; large bridges or embankments seldom requisite; materials of good quality very abundant: and the land of so little value in its present state, that it is in most instances cheerfully given in return for the great benefit to be derived from the work. £300 or £400 a mile will frequently cover any expense attendant upon the construction of a good road. £500 or £600 may be esteemed a reasonable average rate; and those under circumstances of comparative difficulty seldom exceed £1,000 or £1,200 a mile.

"The repairs will be in proportion to the expense, varying from £10 to £60 per annum."

Sound judgment, humane sense, and a correct appreciation of some of the most trying wants of the country, characterize these observations. Equal praise is not due to the opinions entertained, nor to the line of conduct pursued, by the Commissioners in other material respects. Their aim from the first, and their unceasing study throughout their whole career, has been to bring the construction, support, and management of all the public works of the country under their own care and patronage. They would have nothing planned but as they advise,—nothing executed, but as they may direct. In their second report, they address the Lords of the Treasury in this significant language.

"Having thus added our humble testimony in favour of the policy of making gratuitous advances and loans on an extensive scale; we would suggest, that in all cases where grants are made, either of the whole or part of the cost, or where loans are advanced on the security of the revenue to be derived from the work,—the public providing the entire of the fund, the sole charge and control of the works and expenditure should be vested in some responsible government department, and that no corporate body or local commissioners should be authorized by distinct acts of parliament or otherwise to have the management, except in cases where they themselves subscribe for, or deposit a fair proportion of the required funds." *

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* As Dame Partlet, the hen, says to Chanticleer, in the Fable,—

"The dominating humour makes the dream."

This extract presents us, reflected as it were, with just those thoughts, feelings, and dispositions which seem to arise naturally in the minds of men employed as these gentlemen had for some time been. We know that persons, placed in a given position, as commonly receive a particular bias from it, as the tree bends according to the direction of the prevailing wind to which it is exposed. Throughout all their labours, these and other commissioners have constantly borne with them the sentiments and predilections exclusively appropriate to men in office. They view the question before them, be it what it may, in all its bearings, with eyes partial, by habit, to the principle of a pressure from above; and to that systematized authority, which it is their daily province to exercise in one shape or other. Having held, for a considerable period, different situations of no small power and emolument; being trained and subdued to the formality and order of office; having imbued the second nature, so often stronger than the original, which use and custom give,—it is not strange that the working of the system under which they prosper and enjoy a

The drift of this language is not to be mistaken; nor is it possible to overrate the injury that would be inflicted if the policy it recommends came to be enforced upon a people so little in the habit as the Irish hitherto have been of relying upon their own exertions for the improvement of their country. Yet the writers of this report never missed an opportunity of impressing it upon the mind of the government from which they obtained their office. Abetted by a subtle party, they succeeded in carrying it into effect upon their own "extensive scale"—in the case of the Shannon commission. The same ambitious experiment was tried again; but, fortunately for the country, was defeated in the subsequent case of the Railway commission. From that failure we may date the commencement of a new era in the history of public works and joint-stock enterprises in Ireland; one which, if it be not injudiciously broken in upon, must soon give a new fortune to the island, and a new temper to its inhabitants.

However cursorily the proceedings of these commissioners may be reviewed, we shall be sure to note the poor effects produced by their office, and be convinced of its extreme inutility. If it was in the nature of things that good could come of such an institution, they must have brought it forth. Every thing favored their cause:—the treasury supplied abundant funds, the parliament conferred ample powers; the ministers were all confidence and encouragement; the people

certain extent of patronage and command, should seem to them beyond all doubt excellent in the extreme. Thus prepossessed in favour of routine duties, prescribed discipline, and the wedge-like influence of a government board, they will maintain that an administration for canals, and railways and roads may be admirably devised, which shall supersede every other in point of convenience and efficacy by conforming in all its forms and departments to the condition of things immediately around and under them. Thus, in Ireland, they were led to suggest a railway board; which was little more than an extension of one already extant, and in their own possession. With such gentlemen the greatest of all wants, and the source of all evils, is the want of sufficient power in their own department; —only give them power, and they will undertake any thing. They, therefore, propose to surmount the defects and misfortunes of all preceding boards and commissions, by imparting to the new one they desire to fashion an extent of absolute authority, perfectly Rhadamanthan.

all hope and gratitude; and yet now that thirteen years have passed, and nearly two millions sterling have been expended in one way or another under their direction, it is painful to mark how little the labours of the new functionaries differ in their result from those of the old; and how backward still the country remains with respect to useful and profitable undertakings of the class under consideration.

The more conspicuous enormities of the system, under its former administration, were three,—an extravagant waste of money in the works constructed; inadequate returns; and a notorious partiality. This last fault was carried to an indecent extent. Particular persons and places were favoured in the distribution of the parliamentary funds, while others were always excluded from a share of them. The same evils are manifest, in nearly the same degrees, under the administration of the present commissioners. A few examples will suffice to prove the truth of this observation, and to show not only that these gentlemen have not improved the state of the concerns which they took out of the hands of their predecessors; but that they have not imparted a much better character to those which have been undertaken, under the exclusive protection of their own authority.

Limerick, as already observed, has enjoyed a large portion of the money voted by parliament in aid of public works. Wellesley Bridge and Docks, in that city, were projected before the present commissioners came into office. The old commissioners had sanctioned an advance of £54,346, for this purpose; but the money was not issued until the year 1832, after the plan had been considered and approved by their successors. The money having been spent; we find the latter confessing, in the year 1834, that very great and unforeseen difficulties had occurred, principally from the imperfect manner in which the earlier works had been executed; and that the completion of the dock, as originally projected, was impracticable.—(Third report, page 17.) Accordingly, the advance of more money was called for, and obtained,—namely, a sum of £25,000 in 1832; and two sums

of £[illegible], and £3,[illegible] in 1833. The pecuniary result of this liberality is exhibited in the twelfth report, as follows:—

	Loan.	Repayments.	Interest Due.
Wellesley Bridge and Docks	£[illegible] 12 4	. .	£27,699 8 6
Do.	[illegible]	2,920 0 0	656 3 8
Do.	[illegible]	. .	1,638 9 10
Do.	[illegible]	. .	676 3 9
	[illegible] 12 4		£30,672 5 9
Less one repayment	2,500 [illegible]		
	[illegible] 12 4		
Add Interest due	[illegible]		
Present Debt	[illegible]		
	Principal.		Interest Accrued.
Ashmansaul Bridge	[illegible]	. .	3,846 13 7
Do.	[illegible]	. .	1,962 1 6
Total Loans	[illegible]		£5,808 15 1
Total Interest	5,808 15 1		
Loans & Interest due	£[illegible]		

If we look at the population and trade of Limerick, we shall see nothing in them to justify such a state of embarrassment as these figures present: both are considerable, and they have been steadily on the increase for several years past. But if, as common report represents, the origin of these works and the aid afforded them lay in the influence of political interest, which took their plan and management out of the hands of the mercantile classes, to whom they properly belonged, there will be nothing in the result to excite surprise,—unless, indeed, it be the patience with which abuses so obstinate have hitherto been endured.

Some ludicrous anecdotes are related, to prove the want of skill and judgment manifested in the plan and structure of these bridges:—On one occasion a ship, breaking from her moorings in foul weather, was driven against Wellesley Bridge. In such a collision it was to be expected that stone

would have proved stronger than wood: but the reverse was shown; and we are assured that the ship, being better built, broke the bridge!—Again, there is a toll on Wellesley Bridge; and none on Athlunkard, so the traffic of the free bridge acts against that of the toll-bridge; and the commissioners, as if to make the competition inevitably ruinous to the more expensive work, advanced a sum of money to construct a new road running straight from the foot of the one to the foot of the other!*

The works of a high class with which the present Commissioners have exclusively identified themselves, and by which the character of their administration is to be tested, are comparatively few; and, taken as a whole, they are far from being in a creditable or prosperous condition.

The Limerick Navigation has already been spoken of. An account was given, at page 288, of the improvident manner in which the public was compelled to buy back their own loans to this undertaking, paying for them nearly twice the amount originally lent. The Ulster Canal has also been described. The approving terms in which the Commissioners repeatedly advocated the merits of this work, led to a loan of £100,000 from the Exchequer bill commissioners in England; but the receipts, as already mentioned at page 304, do not cover one-half of the expenses of management.

Another favourite object of praise and assistance is the Dublin and Kingstown Railway.† Of this the commissioners

* Anecdotes of this kind abound. In their report for the year 1837, the Commissioners account for the expenditure of £300 given to them for the relief of the poor. The account is a curiosity in its way. The starving poor got £100, and for distributing that sum the Officers of the Board of Works got £200. The Commissioners built Portumna Bridge, a wooden structure, which cost £26,000, and is so narrow that two carts cannot pass it at the same time. It is asserted that when the Commissioners entered into the contract for this work, they had before them a tender for building a stone bridge for the same money, the width of which would have given room for a double transit of passengers and conveyances.

† The large sums lent to this railway, and to the Ulster Canal, are represented in certain circles in Dublin to have been matters of personal obligation. A capitalist, holding a considerable interest in both undertakings, is familiarly described as always carrying a *commissioner* in his breeches-pocket.

remark in their first report (page 5), that although they did not consider the work in the very first class of public utility, they recommended a loan of £50,000; to which they were induced to add £25,000, in consideration of the offer of very prompt payment, namely, in the first five years—to be secured by a bond binding the company, should the tolls fail in producing the promised amount, to make up the instalments by calls on their several shares. So far the first report. The second assures us, (page 18), that as a work of art the undertaking promises to be as perfect of the kind as any ever executed; and that the whole of the apparatus does great credit to the directing management, the engineer, resident engineer, and the contractors. In the fourth report it was announced, (page 10), under the head of Repayments, that several of the larger balances had been liquidated; and amongst them, that to the Kingstown Railway. Turning to the fifth report for particulars, we find this "liquidation" to consist; first of the repayment of £5,000 off the principal sum lent, with some arrears of interest; and, secondly, of a new loan of £40,000! These curious facts prepare us for the subsequent state of the account. The cost of the line, estimated at £150,000, reached 350,000; and by the commissioners' report for the year 1844, it appears that the concern then owed the state £111,333,—being only £38,667 less than the original estimate of the line. By the company's report for the same year, it further appeared that the total amount of debt then due by the railway amounted to £155,048.

These features of the case demand special notice. There is no argument urged with more pertinacity or persuasiveness, by those who contend for a government administration of all enterprises of this kind, than the healthful and economical condition assumed to be the certain effect of vesting large powers in such hands. Government commissioners, in their language, are the men of all others to check the extravagance of headlong speculators, to hold reckless engineers within proper bounds, and to ensure order and economy in all things; yet here is a railway over which the state, through its officers, has

had full authority, which from first to last the state has aided, controlled, directed, patronized, and praised; and yet the estimate here was £150,000, and the cost £350,000; and while the undertaking owed the state £111,333, it owed other parties £50,000 more; yielding, at the same time, a dividend of nine per cent. to the shareholders, out of the current receipts.

The following extracts, from the Commissioners' twelfth report, will exhibit a clear view of the general character of some operations in this department of their office.

No. of Loan.	Name of Work.	Amount Lent.	Date of Loan.	Repayments.	Principal and Interest due in 1843.
5	Limerick Navigation	£8,910	1832	£1,500 0 0	£7,400 0 0
70	Ditto .	6,500	1825	812 0 0	5,487 10 0
20	Galway Docks .	17,000	1832	4,217 18 10	14,098 2 5
126	Ditto .	4,000	1837	80 0 0	4,410 5 5
157	Ditto .	3,000	1838	. .	3,389 11 9
28	Newry Navigation	12,000	1832	4,652 11 9	7,433 19 2
255	Ditto .	*10,000	1841	. .	10,281 8 1
32	Drogheda Harbour	10,000	1832	2,135 3 2	8,150 19 5
116	Ditto. .	3,000	1837	. .	3,143 8 6
31	Kingstown Railway	75,000	1832	27,151 17 1	47,848 0 0
101	Ditto .	†37,200	1836	. .	37,800 0 0
256	Ditto .	25,000	1842	. .	25,685 4 5
57	Boyne Navigation	1,750	1834	680 0 0	1,070 0 0
113	Ditto .	1,000	1837	200 0 0	811 1 3
	Total .	214,360		41,429 10 10	177,009 10 5

The aggressive spirit of these gentlemen, their discouragement of private enterprise, and their anxiety to prevent the introduction of joint-stock companies have been displayed with equal vigour in the discharge of their ordinary and their incidental duties. Their opinions upon this subject were promulgated, as has already been observed, at an early period, and it must be admitted that the firmness and address with which

* The amount of loan sanctioned is £30,000, but only the sum stated had been advanced up to December 31, 1843. The whole is understood to have been advanced during the course of the subsequent year.

† The amount of loan sanctioned was £40,700, as stated in another page; but the actual advance was no more than is given here.

they adhered to their professions, soon effected considerable changes, and at one time promised unmeasured success.

In their second year of office they availed themselves of a summary process to take the Lower Boyne Navigation from a private company. The right of the parties holding possession of that navigation to levy tolls becoming matter of dispute, the points were referred to the law officers of the Crown, who decided in favour of the Crown; and upon the strength of that opinion the Commissioners entered into the receipt of the tolls and the management of the Navigation. Judging by the furnished accounts, no benefit has accrued from this change. When the Navigation was seized by the Commissioners it was not in debt. The amount of tolls in the year 1834 was £707 2*s.* 5*d.*, and the charge for salaries and allowances £213 6*s.* 4*d.* But at the end of the year 1843, the undertaking stood indebted to the state for money borrowed, £1892 17*s.* 11*d.*, while the amount of tolls received was £734 12*s.* 11*d.*, and the charges for salaries, allowances, and incidents was £291 7*s.* 11*d.*, exhibiting after a term of nine years an increase of tolls to the amount of £27 10*s.* 6*d.* an increase in the charges of management to the amount of £78 1*s.* 7*d.*, and of debt to the amount of £1881 1*s.* 3*d.**

But the great triumph of the Board was the commission for improving the navigation of the river Shannon. In this novelty long and studiously prepared and completely fashioned to the taste and ambition of its authors, every principle has been carried into active practice, for which the state-system party in Ireland have ever been the advocates. Nothing desired was omitted or withheld—money was unsparingly

* The other concerns of this class in the hands of the Commissioners are still smaller, and the evidence of improvement in their management is even more scant. In Report 1, the receipts from the Tyrone and Maghery Navigation are returned at £166 4*s.* 1*d.*; and the expenditure at £268 16*s.* 4*d.*; deficiency £102 12*s.* 3*d.* for the year. In Report 12, the receipts are £144 9*s.* 8*d.*, and the expenditure £172 11*s.* 5*d.*; deficiency £28 1*s.* 9*d.* The state of the Maig Navigation, in Report 1, is, receipts £41 16*s.* 1*d.*; expenditure £139 12*s.* 3*d.*; deficiency £97 12*s.* 3*d.* In Report 12, receipts £51 9*s.* 1*d.*; expenditure £253 15*s.* 3*d.*; deficiency for the year £202 10*s.* 2*d.*

granted, power conferred without restraint, and all the assistance and facilities held to promise success to the undertaking were liberally contributed. The theory of the proceeding was monstrous, and the authority created by it arbitrary beyond all precedent*—but address, perseverance and the influence of an approving ministry soon availed to render them part and parcel of the law of the empire.

The business of the Shannon Commission, or rather the solicitations of its importunate patrons, may be said to have begun when Col. Burgoyne, Captain Mudge, and Mr. Rhodes were called upon to survey the river below Limerick, and to point out the works required for its improvement. Reports and plans from Captain Mudge and Mr. Rhodes were produced to both Houses of Parliament in the session of 1832. A discreet beginning having thus been effected, the scheme was quietly cherished and advanced to maturity by slow degrees. A Committee of the House of Commons, with the late Earl of Kerry in the chair, made a strong report in favour of the measure during the year 1834; and during the next session of Parliament the Marquis of Lansdowne and Mr. Spring Rice carried the Act 5 & 6 W. IV. c. 67, which vested the control, conservation, and improvement of the river Shannon

* The Commissioners under this and the subsequent Act were officers during pleasure; and their powers were undefined in many respects and in none interfered with. The general improvements to be effected, the engineers and other persons to be employed—the particular works to be executed and maintained—the bridges, piers, embankments, and excavations—the localities and means to be made use of in each case—the counties, baronies, and lands to be taxed for their construction and support, and the specific rates and proportions for each—the lands and houses to be seized to those uses, and their respective valuations were all left to the three Commissioners. The nature and extent of the undertakings were in many respects open questions, but the funds to proceed with them were supplied by a preliminary vote. Before this extraordinary tribunal all rights and interests, public and private, were made to give way. The fiat of the Commissioners was armed with a rigour previously unknown to the law of the land; once made it became final, and tolerated neither correction nor evasion. No reference was allowed to a jury for the assessment of damages, nor was there an appeal permitted to the Superior Courts from the decisions of the Commissioners. One process only was prescribed, and the result of that was irrevocably conclusive.

from the sea to Lough Derg, embracing a continuous navigation, 232 miles long, in the chairman of the Board of Public Works and other Commissioners, who were directed to hold Courts of Inquiry, and to make surveys, plans, estimates, and reports, by way of preliminaries to such final measures as might be deemed fit for execution at the public expense.

A term of more than four years, and a sum of £32,000 were devoted to this first or preliminary commission. Five elaborate reports with numerous maps explanatory of the various works to be performed and estimates of the outlay demanded were presented to Parliament; and the Act 2 & 3 Victoria, c. 61, was passed during the year 1839, at the instance of Mr. Spring Rice and the Marquis of Lansdowne. The more the subject had been investigated, the greater proved the estimate of the probable cost. Moderate sums of £50,000 and £75,000 were mentioned to the Committee of the year 1834; but the second Report from the Commission under the Act 5 & 6 Wm. IV. c. 67, called for a sum of £266,777, the third Report for £64,351, the fourth £243,974, making a total amount of all the proposed works of £584,805 17*s.* 9½*d*, to be defrayed in the following way:—

Proportion to be paid by the public . . .	£290,716	1	4
By the adjoining counties and districts	266,334	6	2½
By proprietors and districts . .	27,755	10	3½
	£584,805	17	9½

Some feeble opposition was offered in the House of Commons to the whole scheme, and more particularly to the application of so large an amount of the public money to a new administrative body; but the measure was adroitly carried and a fresh establishment was set up to give immediate effect to its provisions. The cost of maintaining this office is to be added to the total expenses of the improvement. Up to December 31, 1844, the amount was

£14,326 8*s.* 1½*d.*,* which will make the money already voted by Parliament towards this last scheme for improving the Shannon, £631,135 5*s.* 11*d.*† A sum of £18,447 9*s.* 0*d.*‡ has also come into the hands of the Commissioners, as their receipts from rents and tolls during a term of five years; the whole of which being expended from time to time upon the river and works, raises the full outlay of the undertaking to £649,582 14*s.* 11*d.*

No definite opinion can as yet be properly formed of this bold and expensive measure. Before the works have been thoroughly completed, and a fair interval has been allowed to test their efficacy, it would be rash to affirm how far the experiment has failed or succeeded, or whether the public money has been applied with economy or whether it has been wasted either wholly or in part. There are at the same time not a few features of the case quite marked in their character, and being unchangeable in their nature, we are already justi-

* The sum from year to year appears by the Commissioners' reports:—

Dec. 31, 1839	£630	4	3
Ditto 1840	2,362	5	9½
Ditto 1841	2,940	5	8½
Ditto 1842	2,451	10	6½
Ditto 1843	2,819	13	3
Ditto 1844	3,122	8	7
	£14,326	8	1½

† Expenses of the Commission under the Act 5 & 6 Will. IV., including the vote of July 27, 1840, for £11,300 law expenses . £32,003
Grants and advances authorised by the Act 2 & 3 Vict. c. 61 . . . . . 584,805 17 9½
Subsequent grants for office expenditure . 14,326 8 1½
£631,135 5 11

‡ Rents and Tolls, 1840 . . . £3,960 6 4
Ditto 1841 . . . 4,411 1 3
Ditto 1842 . . . 3,025 16 10
Ditto 1843 . . . 3,279 18 9
Ditto 1844 . . . 3,870 5 10
£18,447 9 0

fied in treating them as positive events, and adding the moral they convey to the many similar lessons we have been taught in this history of public works.

The Irish are so proud, and writers upon Ireland are so fond of lavishing praise upon the Shannon, that it seems almost unpatriotic to speak of such a river in any other than glowing language, or to question the policy of expending upon its improvement the large sums contributed by Parliament for that purpose. Washing, from its rise in Lough Allen, to its mouth in the Atlantic, the lands of ten counties – some of them the most fertile in the island;—connecting together a chain of lakes so long and broad; receiving in its course the tributary waters of so many navigable rivers; traversed in different parts by full-sized steam-boats; it appears to offer extensive facilities to commerce, and to be the open and ever flowing spring of unbounded wealth and profit. But the Shannon, notwithstanding its many noble properties, has great defects and some of them are irremediable. It abounds with shoals, it is in various places too shallow for the purposes of navigation, and it runs against the prevailing course of trade. All the main and most valuable lines of Irish traffic wend from west to east, while the Shannon flows from north to south with a curve to the west before it joins the sea. The most considerable marts and ports of the country are those nearest to England on the eastern coast—the Shannon pours the long volume of its waters to the west, and deep and broad as they are at many points far from its mouth and high up towards its source, it becomes contracted above Limerick for a space of fifteen miles into a stream so shallow, so narrow, and so precipitous in its fall as not to be navigable in its natural state. The canals and lateral cuts of the Limerick navigation correct this evil so far as to give a passage to barges between Killaloe and the town of Limerick. But the use of the steam-boat and the splendid scheme of rendering the river navigable throughout its whole course, is only fulfilled in so restricted and literal a form as to become in every enlarged

sense of the expression a chimera and deceit. To talk of an uninterrupted navigation in such a state of things is more than an abuse of terms—it is a positive misrepresentation of important facts. Worse still, an uninterrupted navigation is all but impracticable. The fall of the Shannon waters in the fifteen miles between Killaloe and Limerick is ninety-seven feet, and its contracted bed for that distance is for the most part a solid rock, which no engineer has as yet been bold enough to propose to cut through and enlarge.*

If then the Shannon should eventually be improved according to the plans produced and within the promised time, and the estimated expense, the praise really due to the work will be small, because the benefit derivable from it will be limited. The author, who writes for the sake of effect, and travellers led by his descriptions to follow in the track of pleasant scenes, may dwell with emphasis upon the charms of an inland voyage one hundred miles in length, made upon the deck of a trim steam-boat; they may extol the splendour of that long river when its clear waters and green banks are lit up by the summer sun; but they will find the splendour solitary; they will feel that the activity of commerce and the energy of profitable speculation—the crowded dock and loaded pier are wanting; they will see that no conspicuous trade flourishes; and they will close their journey in disappointment, considering how so much of the public money has been laid out upon a district and a work furnishing so few elements to justify the expenditure. Surprise will not end here. The traveller will be struck with astonishment when leaving that great river without commerce, he comes to others flowing eastward, upon which the whole traffic of the

* "The Thames," says Inglis, "Trent, Mersey, and Severn, when they lose the character of streams and become rivers, hold a noiseless course; but the Shannon, larger than all the four, here pours that immense body of water, which above the rapids is 40 feet deep and 300 yards wide, through and above a congregation of huge stones and rocks which extend nearly half-a-mile, and offers not only an unusual scene, but a spectacle approaching much nearer to the sublime than any moderately-sized stream can offer even in its highest cascade."—*Inglis's Ireland*, p. 181, 5th edition.

country export and import is conveyed. Upon every one of the easterly rivers—upon the upper and lower Bann, the Boyne, the Barrow, the Nore, the Slaney and the Suir, obvious improvements strike the eye, all easy of execution—all calculated to be immediately remunerative, and yet all left unattempted.

Amongst the positive advantages*—few when compared with the outlay—derived from the works on the Shannon, are a few substantial bridges, (particularly those built at Athlone and Banagher) some piers erected in the lower river, and the drainage of 32,500 acres of land. The Commissioners estimated the pecuniary benefit of this last improvement at from 40 to 100 per cent. upon the previous value of the reclaimed land; and of this the Government made the owners a present. So much liberality appears as yet to have been indifferently requited, for a decided majority of the landowners affected have neglected to observe one of the few obligations imposed upon them by the Commissioners. The cost of the piers constructed upon private estates was to be provided partly by the public and partly by the proprietors of the sites adopted: and the proportion of expense so borne by the latter was £18,593 9*s.* 2*d.* The public half appears to have been always forthcoming, but of the landlords' proportion, according to the reports of 1843, 4, and 5, only £3,423 have been paid.†

A fact or two of considerable importance remains to be

* An unwillingness to run into minute details has led to the suppression of several faulty practices to which the Commissioners have frequently leaned. For instance, in their 5th Report repeated cases are set forth in which the contractors failed to complete their engagements, but in no one of them does a penalty appear to have been recovered from the sureties. The Commissioners submit to these misfortunes with exemplary patience, placing the suspended works in the hands of an engineer of their own choosing; and allowing the defaulter and his sureties to go their ways absolved of consequences.

† More than one return has been made specifying the amount advanced and repaid by counties, and showing the particular balances outstanding in each case at the period of the return; but no such information has been vouchsafed either by the Commissioners or Parliament with respect to landlords who have not observed their engagements.

noticed. Two great objects were proposed to be attained by this work. First, an equalisation in the level of the waters of the river, so that destructive land-floods should no longer be of frequent occurrence; and secondly, increased facilities for internal traffic. But it is asserted, that the waters of the Shannon have risen more irregularly, and that land-floods have been more extensive since the works of the Commissioners have been erected here, than they were ever before known to be. The plans have not included the construction of a single towing-path or track-way along the banks of the river, to enable farmers and merchants to expedite the conveyance of produce or commodities from place to place; and it further appears, that although towards the close of the year 1844, the greater part of the money voted by Parliament had been expended, the trade of the river, notwithstanding the improvements effected, had decreased to a marked extent in different branches.*

The total receipts on account of tolls and wharfage at the stations along the river produced in the year 1840, £1,849 9*s.* 2½*d.*; and in 1844, £1,564 17*s.* 7*d.*—decrease, £284 11*s.* 5½*d.*

The quantity of goods conveyed to and from the Grand and Royal Canals and the Shannon in the year 1840, was

From the Shannon to the Canals .	16,721 tons.
From the Canals to the Shannon .	14,266¼
Total .	30,987¼

* The expenditure on works, according to Reports 2, 3, 4, 5, and 6, stood for each year as follows:—

1839 . . .	£586	17	7½
1840	87,627	13	3¾
1841 . . .	54,642	8	6½
1842	78,964	1	3½
1843 . . .	73,606	14	2½
1844 . . .	64,486	14	11¼
Total	£359,914	9	11

In the year 1844 the corresponding amounts stood thus:—

From the Canals to the Shannon .	10,924½
From the Shannon to the Canals .	14,838½
Total .	25,752½
Decrease .	5,234½

The total number of steam-boat passengers on the river in the year 1843 was . . . 18,544½

1844 .	16,113
Decrease .	2,431½

So large a measure as the commission for improving the navigation of the river Shannon having been fully secured, not a few persons inclined to the opinion that the fate of private enterprise in Ireland had been decided by the occurrence, and that the course which all works of the class to which it belonged were to take for the future, had at length been definitely settled upon the state system. Animated by the hopes to which this view of the case gave birth, a far more extended field of patronage and power was quickly occupied by the expanding genius of its authors. A number of Irish railways had been projected. Acts of Parliament had been passed for making several lines, and the construction of some of them having commenced, the opportunity seemed favourable for a bold and comprehensive effort to bring the whole under the control of commissioners appointed by Government. If this ambitious movement had succeeded, it would have crowned with success the untired labours of many years; and thus would have been perfected to the fullest extent the artful scheme of forcing the country to depend for every improvement upon the will and authority of the set of persons who might happen to execute in Ireland the functions of her Majesty's ministers for the time being.

Amongst the numerous evidences of misgovernment exhibited in the social condition of Ireland, no two are more conspicuous than the lateness of the period at which all the great improvements distinctive of the progress of modern civilization

have been introduced, and the slowness of the rate at which, when they have found their way into the country, they have struggled into a state of feeble and insecure existence. This remark applies with equal force to the construction of common roads, as well as canals and railways.

Irish roads were principally made by compulsory labour so late as the reign of Charles I. The act 10 C. I. sess. 2, c. 26, compelled the occupiers of land in every parish to furnish, when required for this purpose, horses and cars on six days in each week, and it obliged the peasantry to contribute their labour at the same time. When these authoritative means failed to produce the desired result, grand juries were empowered to levy whatever money might be found necessary to complete the work. But compulsory labour proved ineffectual, and the money raised by grand juries was misapplied, says Newenham, "by the practice of jobbing, which has ever prevailed in a peculiar degree in Ireland, and from which no assembly, authorised to raise money on the subject, from the House of Commons to the vestry, has been exempt."

Several Acts of Parliament were passed to rectify the latter abuse. Amongst those most frequently cited are the acts 4 Anne, c. 6.; 6 Geo. I. c. 10.; 1 Geo. II. c. 13. They availed but for little good. No road Act passed the legislature during the reign of Wm. III. and in the reign of Anne there were but two. After this statement, one reads with surprise the remark of Arthur Young in his tour—"For a country so far behind us as Ireland to have got suddenly so much the start of us in the article of roads cannot fail to strike the English traveller exceedingly."

The turnpike plan perhaps may be credited with some portion of this improvement. It appears to have been first resorted to about the year 1729, when the Acts 3 Geo. II. cc. 18 & 19, were passed together, for making roads from Dublin to Kilcullen, and from Dublin to Navan. This example kindled a lively spirit of emulation. When the Parliament next met, in the year 1731, separate Acts were passed for making roads from Dublin to Dunleer, from Dublin to Kinegad; from the

Black Bull in Meath, to Athboy, from Kilcullen to Kilkenny, from Kilkenny to Clonmel, from Cork to the foot of the Kilworth mountains, from Naas to Maryborough, from Newcastle to Limerick, and from Limerick to Cork.

The turnpike plan, however, proved unsuccessful when pushed to an extensive scale. The trusts were mismanaged and fell heavily into debt. Ere long the system now general came into use; that, namely, which authorizes the Postmaster-General to direct the construction and repair of such mail-coach roads as he may deem necessary for the public service, but leaves all other roads to be made upon the concurrent agreement of the proper grand jury, and the rate-payers of the district requiring the accommodation. In the former case the county at large is rated for the work—in the latter the rate-payers of the baronies through which the road cuts.

The small number of turnpike roads in Ireland would excite surprise, but for the known difficulties so long experienced by the people of that country in prosecuting works of internal improvement. The facts connected with the turnpike-road system are few, and they deserve to be commemorated.

The first persons who afforded Ireland the benefits of good turnpike roads, and the use of mail-coaches upon an extended and respectable scale were Scotchmen. Their names were William Bourne, John Anderson and Alexander Taylor, and their operations commenced about the year 1793. Mr. Taylor,* a Major of Engineers, was employed by Government in the survey and repair of some of the principal roads of the country. Finding these everywhere in a bad condition, and the trusts so overloaded with debt as to render the duty of executing the necessary repairs onerous in the extreme, he suggested to Messrs. Anderson and Bourne (who were natives of the part of Scotland from which he sprung) the idea of undertaking to keep certain main lines of road in good repair, and to pay off by degrees the debts due upon them, in consideration of a grant from the Government of the right of taking

* He was the author of a set of Irish Road Maps, which were published with his name.

tolls upon them for a definite term of years. Agreements having been entered into upon these conditions, and ratified by Act of Parliament,* Mr. Bourne and Mr. Anderson obtained the road from Naas to Limerick, and Major Taylor the road from Dublin to Kilcullen for a term of fifty years. The Major's principal engagements thenceforward were those of a road-contractor, which he carried on upon a scale far more extensive than had been previously attempted in Ireland, an observation which applies with equal force to the proceedings of his associates, who maintained as road lessees and coach proprietors very large and flourishing establishments. Mr. Bourne settled in Dublin, and Mr. Anderson in Fermoy, where he became a banker, and was created a baronet. But though he outshone his early associates for a length of time by the superior brilliancy of his career, his end was unfortunate. He acquired a large estate in lands and houses, many of which he built, at Fermoy, when the Government, at his recommendation, made that town the principal military depot of the south of Ireland, but he subsequently failed as a banker, and died impoverished.

While the Messrs. Taylor, Bourne and Anderson were in the zenith of their prosperity they engrossed in their respective districts the best and largest portion of the business of the country. The right possessed by them of imposing a heavy toll upon all coaches and carriages travelling along the roads of which they were lessees, while their own conveyances passed free, gave them advantages which forbad competition and practically invested them with a monopoly of the principal routes of communication between Dublin and the southern counties. It is affirmed, however, that they executed their contract with the government and the public energetically and faithfully. Their coaches were commodious and well appointed, the debts due upon the different roads of which they became lessees were gradually discharged, the accruing interest was paid with regularity, and the condition in which the roads had been kept was sensibly improved.

* The Acts 33 Geo. III. c. 32; 38 Geo. III. c. 33; and 59 Geo. III. c. 108, are those which chiefly regulate the terms of these contracts.

But however well the public convenience was then consulted in particular directions, and however suitable were the facilities provided for travelling and correspondence on four main lines of road, namely, one from Dublin to Limerick, a second from Dublin to Cork by Cashel, a third from Dublin to Cork by Clonmel, and a fourth from Dublin to Waterford, other parts of the country were left for a much longer period to what may be literally defined as their natural resources.

One rather curious instance of this state of things will bear to be described, because it also furnishes striking evidence of the rapid pace at which improvements will proceed and fructify in Ireland whenever they happen to be wisely accommodated to the public wants. So late as the year 1807 the mail bags between Waterford and Clonmel were carried in a common cart, and there was no public mode of conveyance between Carrick-on-Suir and Waterford but passage boats, the chief of which is well remembered as Tom Morrissey's boat. These dropped from one town to the other as the tide served, fare fourpence a head—distance twelve miles—time occupied seven hours. Such was the state of travelling between Waterford and Carrick-on-Suir in the year 1807, and in the year 1836 there passed between those towns and on to Clonmel daily a four-horsed mail coach and eight public cars, each carrying from eight to twenty passengers, and all together making eighteen journeys backwards and forwards.

Almost the whole of this large increase was the unaided work of a private individual, Mr. Charles Bianconi of Clonmel. This gentleman so eminent for intelligence, ability and success, is a native of Piedmont, and came over to Dublin at an early age as an apprentice to a carver and gilder. But his master, who was also an Italian, seems to have had but little capital beyond the sums he had received as fees with his apprentices, of whom there were two besides young Bianconi. The occupation of these boys was that of selling religious prints in the streets of Dublin. Bearing this hard lot with patience Bianconi acquired in process of time sufficient knowledge of his master's art to start on his own account. His early career was a very

humble one. He walked from town to town with his pack on his back, vending picture frames and small looking-glasses and soliciting orders. He opened his first shop in Waterford, but ultimately fixed himself in Clonmel, where by indomitable industry and economy he established a good trade. Some profitable dealings in the purchase and sale of guineas during the war with Napoleon augmented his means and enabled him to set up that particular mode of conveyance which has since been carried so extensively into use, and proved useful beyond description.

It has generally been thought that the idea of enlarging the common jaunting car of the country and turning it into a public conveyance originated with Mr. Bianconi. But such is not the case. The first car that is known to have been run in this manner was one set up between Waterford and Carrick-on-Suir about the year 1812. The projector broke down under the experiment. Mr. Bianconi boasts that he has often been a passenger in Tom Morrissey's boat; it is therefore reasonable to believe that he often travelled by Withers' car, and that he adopted from that failure the plan of his own extensive and successful establishment, as to the growth and character of which the following paper, read by him at the meeting of the British Association held at Cork in the year 1843, furnishes an interesting account:—

"Up to the year 1815, the public accommodation for the convenience of passengers in Ireland was confined to a few mail and day coaches on the great lines of road.

"From my peculiar position in the country, I had ample opportunities of reflecting on many things, and nothing struck me more forcibly than the great vacuum that existed in travelling accommodation between the different orders of society.

"The inconvenience felt for the want of more extended means of intercourse, particularly from the interior of the country to the different market towns, gave great advantage to the few, at the expense of the many, and above all great loss of time. For instance, a farmer living twenty or thirty miles from his market town spent the day in riding to it, a second day doing his business, and a third day returning.

"In July, 1815, I started a car for the convenience of passengers from Clonmel to Caher, which I subsequently extended to Tipperary and

[illegible] at the end of the same year I started similar cars from Limerick to Ennis and Tralee, and from Clonmel to Carrick and Waterford; and I have since established the establishment, including the most distant [illegible] miles, namely, from Longford to Ballina and Belmullet, which is 247 miles north-west of Dublin; from Athlone to Galway and Tuam, 131 miles due west of Dublin; from Limerick to Tralee and Listowel, 130 miles south-west of Dublin; and numbering 110 vehicles, including mail-cars and different-sized cars, capable of [illegible] from one to twelve passengers each, and travelling eight or nine miles an hour, at an average fare of one penny farthing per mile for each passenger, and performing daily 1,800 miles, passing through [illegible] towns, for the change of horses; consuming [illegible] tons of hay and from 30 to 40,000 barrels of oats annually, all of which are purchased in the respective localities.

"This establishment does not travel on Sundays, unless such portions of it as are in connexion with the Post-office or Canals, for the following reasons:—First, the Irish being a religious people, will not travel on Sundays; and secondly, experience teaches me that I can work a horse eight miles per day, six days in the week, much better than I can a seven miles for seven days.

"The advantages derived by the country from this establishment are almost incalculable. The peasant—the farmer who formerly rode, and kept three days in making his market, can now do so in one for a few shillings, thereby saving two clear days and the expense and use of his horse.

"The example of this establishment has been generally followed, and cars innumerable leave the interior for the principal towns in the south of Ireland, which bring parties to and from markets at an enormous saving of time, and in many instances cheaper than they could walk it.

"This establishment has now been in existence twenty-eight years, travelling with its mails at all hours of the day and night, and has never met any interruption in the performance of its arduous duties.* Much surprise has often been expressed at the high order of men connected with it, and at its popularity; but parties thus expressing themselves forget to look at Irish society with sufficient grasp of mind. For my part I cannot better compare it than to a man merging to convalescense from a serious attack of malignant fever, and requiring generous and nutritive, in place of medical treatment. Thus I act with my drivers, who are taken from the lowest grade of the establishment, and who are progressively advanced according to their respective merits, as opportunity offers, and who know that nothing can deprive them of this reward, and a super-

* It is to be regretted that this language can no longer be held. Mr. Bianconi's cars have been attacked and robbed since this account of his establishment was made public.

annuated allowance of their full wages, in old age, and under accident, unless their wilful and improper conduct: and, as to its popularity, I never yet attempted to do an act of generosity or common justice, publicly or privately, that I was not met by manifold reciprocity.

"I regret my friend Doctor Taylor should have so suddenly called upon me to take part in this association, in place of giving me an opportunity of preparing a document worthy of their acceptance, but such as this is, it is perfectly at their service, with the best wishes of

"CHARLES BIANCONI."

While Mr. Bianconi was thus laudably occupied in providing an economical mode of travelling for the agricultural and trading classes, an Irishman particularly distinguished himself in the higher branch of the same business. Peter Purcell of Halverstown in the county of Kildare, coach proprietor and mail contractor in Ireland was the son of an eminent physician who realized a good property by his practice in Dublin. Peter it is said was originally intended for the profession of the law, and articled to an attorney. Mr. Bianconi relates that he was forced to become a car proprietor by the weight of the pack he used to carry on his back, and the time he lost in toiling from one place to another. But we are not told what was Mr. Purcell's prompter when he exchanged the dull confinement of a lawyer's office for the open avocations involved in the care of a coach and four. Perhaps it was that lively taste for horse flesh by which almost every young fellow in Ireland is animated. Be that as it may, his career proved highly useful and full of merit. He started under formidable circumstances. The best and principal lines of road were pre-occupied in every direction by Scotchmen and Englishmen, fortified by the favour of government, and supported by parliamentary grants and exclusive privileges. The Irishman entered the field of competition alone and unaided under peculiar disadvantages, and he succeeded in beating off all his rivals but one. With the exception of the Messrs. Bourne, who still retain by virtue of their unexpired right of toll the Naas and Limerick road, and maintain upon it mail and stage coaches, Peter Purcell had almost the whole of the business of the south of Ireland, and no small

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and the Dublin and Kingstown Railway Act, passed in the year 1832. Four years afterwards capital abounded, and speculation in Ireland as well as in England ran into extreme measures; prospectuses were issued for more than twenty lines of Irish railway, and acts of parliament were passed for constructing the Ulster Railway from Belfast to Armagh, the Dublin and Drogheda Railway, the Dundalk Western, and the Cork and Passage Railways. The bill for incorporating the Great Leinster and Munster Railway Company from Dublin to Kilkenny was rejected upon a point of form by the House of Commons during the same session, but a better compliance with the standing orders insured the royal assent without much difficulty in the following year.

The old faction, however, was by no means inactive on that occasion. There was no public display of opposition, but its secret exertions were admirably managed. Its patrons and allies were advancing rapidly in office and in power, and ere long a display of strength was made, in which capital advantage was taken of all the favourable circumstances of the period, and appeals were addressed to the public mind and to the legislature, of which it is not too much to record that they were distinguished by consummate art and by talents in many respects most commendable and imposing.

The Great Leinster and Munster Railway Bill had reached its last stage unopposed in the House of Lords when the Marquis of Lansdowne interfered and insisted upon the insertion of two clauses in behalf of the Irish Railway Commissioners. By one of these the construction of the line was suspended beyond Sallins, a distance of eighteen miles from Dublin, in order to give those Commissioners time to produce the report upon which they had now been engaged more than a year, and by the other it was provided, that if the Commissioners should report in favour of any line in another direction the Company now incorporated should not be permitted to

adopt curves so sharp as those resorted to by the engineer, and that the capital subscribed would barely cover a third of the cost of constructing the line.

oppose the construction of the new work, or to claim compensation for any injury inflicted upon their interests by its construction. Clogged with these restrictions the act became no longer a working measure, and a sum of £20,000 was vainly expended on a well-digested plan for introducing into the South of Ireland the greatest improvement of the age we live in.

We are thus led to consider the Irish Railway Commission, appointed in the year 1836, under the most promising auspices, but followed by most disastrous consequences. The history and moral of that clever piece of mischief may be comprised in one significant sentence. The object contemplated, was to facilitate the progress of railways; the result produced a positive arrest of those undertakings for the full period of eight years. The proceedings of a body at once so fatal and so skilful deserve to be carefully examined and faithfully recorded. The Commission originated in a meeting of Irish noblemen and gentlemen of high rank and considerable property held in London, who presented a requisition upon the subject to the government. The Marquis of Lansdowne submitted a motion in the House of Lords affirmatory of the course thus recommended, and the Crown soon after issued the Commission. In looking back to this early stage of the business, it is impossible not to be struck with the moderation and propriety of the opinions put forward by the different parties who took part in the proceedings. When the Marquis of Lansdowne opened the question in the House of Lords, August 2, 1836, he spoke in terms worthy of his official station.

"There are parties," he said, "in Ireland, and parties in England, who I am perfectly confident will be ready to come forward hereafter to aid projects of this description, if supported and guided by such investigation and such a report as this motion contemplated. It would not however be proper that such individuals should be directed to look up to the Commissioners or to their report for an estimate of the remuneration they were likely to gain by becoming undertakers in works of this description. That must depend on the prudence of individuals themselves—a quality too seldom exercised. It is for those who are on the

spot to estimate the supply and the demand, as well as the degree in which that supply and demand may be increased. It is for persons thus situated, to form a judgment of the utility of an undertaking; and to decide whether they ought to purchase shares in it. . . . I make these observations the more pointedly, knowing as I do that high expectations are easily created in the minds of individuals, but more especially in that country to which I particularly allude, that public assistance will be afforded when any plan seems to receive the sanction of government. In such, public assistance is usually looked for. *Now I will distinctly state that whatever information can be given by the Commissioners with reference to the practicability of particular lines of railroad will be afforded, but that all public assistance will stop there. Those who embark in such projects should have, at the public expense, information as to the practicability of particular lines of railroad, but beyond that they are not to look for public assistance.*"

With this suitable introduction, His Lordship moved and carried the following resolution:—

"That an humble address be presented to his Majesty, praying that he will be pleased to appoint persons of competent authority to consider and report upon the best lines for forming railroad communications through Ireland, pointing out the comparative advantages and facilities afforded for such communications with the principal places in that country, for the information of individuals willing to embark in joint-stock companies for the purpose of carrying such projects into effect; and that such assistance with respect to the lines to be adopted shall be given by the Board of Works as his Majesty may deem expedient."

Letters patent constituting the Commission issued October 20, 1836, and the gentlemen appointed to carry into effect the resolutions of the House of Lords, and the views of the government in general, were General, now Sir John Burgoyne, Chief of the Board of Works; Lieutenant Thomas Drummond, Under Secretary to the Lord Lieutenant; Peter Barlow, Professor of Mathematics at Woolwich Academy; and Richard Griffith, head of the Irish Boundary Survey, an engineer of considerable experience, and high reputation in Ireland. Captain Harry David Jones was made Secretary.

The letters patent, after reciting the terms of the address—praying for the appointment of competent persons to ascertain the best lines between any of the principal places in Ireland,

might be willing thereafter to apply to parliament—proceeded to direct

First a general survey of railways to guide the legislature in the consideration of the projects that might be brought forward.

Secondly. The best mode of directing the development of this new and important means of intercourse in the channels, whereby the greatest advantages must be obtained at the smallest outlay.

Thirdly. To inquire into the port or ports from whence the navigation to America might best be carried on, and

Fourthly. To inquire generally into all essential matters.

In order that these duties might be satisfactorily performed, the Commissioners were authorized to examine persons the most competent by reason of their situation, knowledge, or experience, and to call for all documents, papers, or returns, calculated to assist their researches.

They were further instructed in a Treasury Minute admirably expressed respecting the particular course to be pursued on the occasion and the nature of the benefits expected to result from their labours.

"My Lords," ran the Minute, "will watch with the greatest interest the progress of the inquiry thus instituted; they feel it however to be the duty of government to guard against any inference that it is their intention *to interfere with private enterprise in its legitimate application to purposes either of local or general improvement;* they also feel it necessary that it should be distinctly understood that by obtaining this information, *no intention or pledge is either expressed or implied that works of this description should be undertaken at the public expense.*

"The main benefits to be obtained, appear to my Lords to be the impartial and authoritative information which may thus be laid before parliament, and which will aid the legislature in deciding between rival and conflicting interests, the tendency it will have of preventing ruinous competitions, and the losses and expenses of litigations before Committees, and the facilities which may be afforded to capitalists and to companies to judge of the most advantageous mode in which investments in railroads can be made."

The state of railway enterprise in Ireland stood at this [illegible] as follows:

1. The Dublin and Kingstown Railway was at work, having been constructed by Mr. Vignoles.

2. The Ulster or Belfast and Armagh Line was in progress; two calls had been made: capital £600,000; length of line thirty-six miles; Engineers Messrs. Stephenson and Bald; estimated profit 12 per cent.

3. The Dublin and Drogheda Line, work begun, capital £600,000; two calls made; length of line 31½ miles; Engineers Messrs. Cubitt and Macneill; estimated profit 10 per cent.

4. The Great Leinster and Munster Railways; First Extension from Dublin to Kilkenny; act obtained, capital £800,000; two calls made; length of line 73½ miles; Engineers, Messrs. Macneill and Aher; estimated profit 13 per cent.

5. Great Leinster and Munster; Second Extension Dublin to Limerick; length of line 111 miles; Engineer, Mr. Bald; survey lodged; proposed capital £1,000,000; estimated profit 10 per cent.

6. Waterford and Limerick; length of line 75 miles; Engineers, Messrs. Brunel and Bald; survey lodged; proposed capital £1,000,000; estimated profit 10 per cent.

7. Dublin and Galway; length of line 120 miles; survey lodged; Engineers, Messrs. Bald and Henry; proposed capital £1,000,000; estimated profit 10 per cent.

8. Dublin and Armagh (Inland); length of line eighty-four miles; survey lodged; proposed capital £1,000,000—estimated profit 10 per cent.

These works and projects having all been laid before the Commissioners, pursuant to a requisition issued for the purpose by their own secretary, may be fairly held to have constituted the business of the Commission. Private Enterprise had at its own impulse projected 532 miles of railway, and proposed to invest in their construction a capital of £6,200,000. Some portions of this work had already been undertaken by joint-stock companies—for others companies were making the usual parliamentary preparations. It was therefore the marked duty of the Commission—a duty marked out not less definitively and strongly by the nature and circum-

stances of the case, than by the express terms of the documents constituting their authority and conveying instructions respecting the proper course of their inquiries—to have considered these projects separately and to have reported upon each — to have examined and brought to bear upon their details the knowledge of persons most competent to speak of their applicability to purposes of local and general improvement—to afford information to capitalists and companies—by no means to interfere with private enterprise, and above all neither to express nor imply that works of this description should be undertaken at the public expense.

Most unfortunately for Ireland the duty so clearly and wisely prescribed was not performed. The issue of this exquisite labour took all men by surprise, except the small and anxious band of those who, panting for office, are fain to applaud everything that bears the stamp of official authority. The new recommendations startled the warmest friends of the government, but it was found upon examination that they did not possess even the poor recommendation of novelty. When extremes are rushed upon, and attempts are made to carry arbitrary measures, the apology usually tendered is that every other effort having been tried without avail, the one proposed is thrown out as a last resource. There was, however, no pretext for such an excuse in this case. The plan of the Commissioners was as old and hackneyed as the history of Public Works in Ireland. The practice of all such functionaries resolves itself into a very simple proceeding. They inquire in order that they may be appointed to execute. These last Commissioners it is true had been more expensively educated, and upon a broader scale than any of their predecessors; they evinced moreover a higher style in the treatment of their subject; they displayed considerable information, a polished art, keen sagacity and consummate dissimulation. But superior as they proved themselves in almost every respect to those who had gone over the same ground before them, they only proposed to repeat in a more arbitrary manner and upon a wider range an experiment

resorted to over and over again, and in every instance found to fail. It cannot be too often repeated that the progress of Irish public works had been, up to this period, nothing but a history of government interference with private enterprise and complete consequent failure. Before the Union and after the Union, Irish enterprise had never been allowed to proceed without government commissions and government boards, which, under the pretext of directing their public works and encouraging their execution by loans and grants of public money, had only impeded their advance and rendered them the most expensive and unproductive of modern speculations.

But it is not upon these grounds of general policy alone that fault is to be found with the recommendations of the Irish Railway Commissioners. Actual facts opposed their conclusions, and the statistics of their own report supplied the evidence to prove the errors of the position in which they sought to establish themselves. If we set the points at issue fairly in juxta-position, they will clearly establish their respective values.

Private enterprise had taken the field in the first instance, and looking at the established traffic had placed four principal lines in advanced positions:

1. One north of Dublin, by Drogheda, Dundalk, Newry and Armagh, to Belfast.

2. One south of Dublin, by Naas, Carlow, Kilkenny, Clonmel, Mitchelstown and Mallow, to Cork, with a western extension, by Kildare, Roscrea and Nenagh, to Limerick.

3. One to the west, by Mullingar, Athlone and Loughrea, to Galway.

4. One from Waterford to Limerick, through Carrick, Clonmel, Cahir and Tipperary.

The chief merit claimed for these projects was equally legitimate and strong. They connected the most populous towns with the metropolis in the most direct lines and according to the prevailing streams of traffic. Upon that double ground the case of private enterprise was presumed to rest securely.

Let us now trace the course of the commissioners and explain the system they sought to establish. One of their first acts escaped public attention at the time, but it was so disingenuous as to render every proceeding taken by them an object of suspicion. A demise of the crown having occurred while they were still prosecuting their inquiries, new letters patent for the purpose of continuing their powers were deemed necessary. Those originally issued recited, as was true, that the Commission had been called for to ascertain the best lines between any of the principal places in Ireland which it may be advisable to connect by railways, and for which undertakings may be willing to apply to parliament. But this important passage was secretly struck out of the new Commission issued as a matter of form upon the accession of her present Majesty. From that moment the business of the Commission became a foregone conclusion. Unable in all probability to resist the temptation presented to them of establishing the Shannon Commission as a precedent for railways, and erecting themselves into a permanent body armed with extraordinary power, and gratified with abundant patronage, the Commissioners appear to have resolved to depart from their instructions and to disappoint the public expectation. But apprehending the resentment of the large and influential class whose vested rights and interests they would thus commit to destruction, and aware that their plan was directly contradicted by the letter as well as the spirit of their instructions, they contrived at least one excuse for their premeditated misconduct. Taking advantage of the unexpected incident that had occurred those words were picked out of the new letters patent which defined their office. This being done they were bold enough to pursue the very course which those words had interdicted, and at the same time to affect that they had fulfilled their functions in their integrity. It was not without reason that many public writers exclaimed against the pretensions of a cause and the trustworthiness of men whose justification of the most critical act of their career was made to depend upon the success of so mean a

trick as the liberty taken on this occasion with the public and the House of Lords.

We have next to enter upon an examination of the published acts of this Commission. A short report containing an ominous remark or two having been sent out by way of pilot balloon in the year 1837, their complete work was presented to both Houses during the following session of parliament. It would be uncandid to refer to that document without commending the care and ability with which its various contents were collected, the judgment with which they were displayed, the unprecedented body of highly instructive and important information which was thus conveyed to the public respecting the actual condition of the people and the nature and extent of their trade and commerce, as well as the general resources of the country and the progress of improvement in every direction. As far as subsidiary matters could be made to illustrate the subject proposed the report fulfilled most creditably every condition imposed upon its authors; but it dealt with the main subject itself in a manner so much at variance with established precedents and every rule of authority* laid down for observance, not only in that particular

* It is to be observed that these Commissioners had even more information before them respecting the main object of their inquiry than has been as yet noticed in these pages. The opinion of the Irish landowners who first brought this question before the government, the resolution of the House of Lords upon it, the Marquis of Lansdowne's speech when moving that resolution, the Treasury minute explanatory of the light in which it was properly regarded by the government, and the letters patent issued by William 4, were not the only exponents, accessible upon the occasion, of the true principles for governing proceedings of this description. Committees of the House of Commons and the highest authorities in parliament, had repeatedly considered the question and reported their opinions upon it. These should have been respected by the Commissioners, or at least refuted before they were overruled. They emanated from no common men, and spoke a language not in the least degree hesitating or equivocal. For instance, the Railway Committee of the House of Commons which sat in 1836, and which, with Mr. Poulett Thompson, as President of the Board of Trade, in the chair, consisted of the most eminent men from both sides of the house. Amongst them were Sir R. Peel, Lord Stanley, Sir J. Graham, Mr. Hume, Lord Granville Somerset, Sir J. (afterwards Lord) Wrottesley, Mr. Loch, and others. That Committee inquired "into the expediency of attempting, by some general survey, undertaken by a commission, or

instance, but in all similar ones; and it hazarded conclusions so directly contradicted not by experience alone but by the

through the Ordnance department, to afford assistance to persons willing to engage in making lines of railway through the country, and likewise for the purpose of guiding the judgment of committees on the merits of competing lines." And the report stated that "a close examination of this proposal convinced them that such an attempt would be productive, in Great Britain at least, of no practical good. The various local interests of intermediate places, which must form an important element in deciding upon the particular line which any proposed railway is to traverse, could not be sufficiently considered by such a commission, if its attention were directed, as it must be, to ascertaining the best engineering line between two given termini; and if this consideration were to be taken into account, the advantage that might be expected to result from having ascertained the line which afforded the least engineering difficulties could no longer be expected. Upon the whole, therefore, *it appears decidedly best to leave railways in Great Britain, like all other undertakings, to be decided upon according to the interest and interest of those who are willing to embark their capital in them, subject only to the scrutiny and control of parliament*, and to the increased observation and attention by the public, which your Committee consider will be exercised in consequence of the opportunity afforded by the proposed prolongation of time

"With regard to Ireland, where no great lines have hitherto been commenced, it is possible that some assistance may be afforded by the Board of Works, and your Committee have received from his Majesty's government a memorial presented to Viscount Melbourne by a great and influential body of Irish proprietors, desiring a general survey with a view of making out the best lines in that country. *But although* it may not be inexpedient to direct that some aid should be given by the above-mentioned Board, in *assisting* in surveys of lines, *at the request of the parties interested and at their expense;* your Committee cannot recommend that government should undertake the responsibility of deciding upon the points between which railway communications should be undertaken, or entering upon the extended survey which seems to be desired."

A motion was made, in the session of 1837, calling upon government to direct a survey to fix upon the best line for connecting the North of England railways with Scotland. The numbers, on a division, were equal, and the Speaker, Mr. Abercrombie, gave the casting-vote against the motion. Aware that this act might be displeasing to his constituents, the citizens of Edinburgh, who were much interested in the question, he addressed a letter to them, containing this passage:—"The Select Committee on Railroads, one of the best committees that ever sat, and who have done very great service to the public, sifted and considered this question, and decided against the interference of government. I know too much, from experience, of the benefits conferred by the report of that Committee, to do anything, in my situation as Speaker, to shake or weaken their authority. I was bound also to look at the interests of the public; and I saw already enough to convince me, that if [illegible] were once established of getting government to interfere, [illegible]uld have been other similar applications, supported by

evidence adduced in the document itself; that severe censures were now justly levelled at the Commissioners, and that most difficult of all imputations to substantiate or refute, and yet one at all times most convincing to the public at large, was cast upon them—of having been biassed in their judgment by the hope of producing, as the result of their labours, a state of things which, however questionable on the ground of national policy, would certainly be advantageous to themselves.

Having already described the plans* offered by private enterprise it will be proper to produce the counter project of the Commissioners and the mode they suggested for carrying it into execution. These are to be found expressed in the following passages.

"First then we are of opinion that the main line to the south-west should pass near Maryborough; there or a little beyond it throw off a branch to Kilkenny; thence continue its south-western course through a

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canvass and jobbing." Again, while the Commissioners were in the midst of their labours, there appeared an official return bearing in pointed terms upon one branch of their inquiry. It is dated February 21, 1837, and entitled, A Report and Survey of Liverpool, Holyhead, and Port Dynllaen Harbours. With that paper the Commissioners were unquestionably well acquainted, for they not only quoted it, but did something more. Lord Melbourne, and the Chancellor of the Exchequer, state in it—"that whilst they consider the importance of a safe and expeditious line of communication between London and Dublin to be such as to justify the interference of the public, they are by no means prepared to recommend any survey of a line of railroad. Several private bills," they add, "have passed, and works are either in contemplation, or are actually undertaken, upon the successful completion of which a direct line of railroad from Dublin to London must depend. They, therefore, consider, that any interposition on the part of the state, even if it were limited to the single object of a survey, would have a tendency of interfering with private enterprise, and discouraging the application of capital where it may be required for the general improvement of the country."

* Singularly enough, plans, sections and estimates of the several lines referred to were called for by the Commissioners and laid before them as early as the year 1836. But though the report did not appear until the year 1838, the case made out by the Companies formed no portion of its contents. Even a list of their lines was not given. Sums of from £5,000 to £20,000 had been expended in preparing documents to be reported upon—as was imagined—but the whole was treated as so much waste paper.

very easily traversed country by Thurles to Holycross; there throw off a second branch to the right, which sweeping close round the Keeper mountains should run through the rich district of the Golden Vale to Limerick; while the main branch continuing its course through Cashel and winding round the base of the Galtee mountains close by Cahir, should pass through Mallow to Cork.

"As part of the same combination, Limerick should be connected with Waterford by a branch crossing a little to the south of the Golden Vale, and passing through Clonmel and Carrick to Waterford; and thus a railway communication would be completed between the towns of Dublin, Cork, Limerick, Waterford, Kilkenny, Clonmel, Tipperary, Cahir, Thurles, Mallow, Maryborough, &c.

"Second, with respect to the Northern districts, we are of opinion that the main line should run to Navan, whence a branch might easily be carried by Kells and Virginia to Cavan and Enniskillen. From Navan the main line continuing its course to the north should pass by Castle-blaney to Armagh, and thence to Belfast.

"We therefore earnestly recommend that every effort be made to combine into one interest, and under one management and control, the whole of the southern system of intercommunication between Dublin and Cork, Limerick, Waterford and Kilkenny; and that the northern line by Navan—to Armagh at least—be treated according to the same principle, and considered as one concern.

"We proceed therefore to suggest:—

"First, That government should advance, by way of loan, a considerable proportion of the amount of the estimates at the lowest rate of interest, and on the easiest terms of repayment, to be secured by a mortgage of the works. We think that many landholders may also be found to subscribe towards carrying into effect an object which, in addition to its importance as a national concern, cannot fail to benefit and improve their own properties.

"As a further assistance in filling the subscriptions, perhaps powers might be given to the counties interested, as well as to corporate towns, to become shareholders to certain amounts; the government in such case advancing the money on the security of presentments, in the usual manner, and the return on such shares being available for the reduction of the county or other rates.

"A provision however will be necessary in this case, to insure the co-operation of the whole of the districts interested; the approval of a certain majority having been obtained.*

* "We should have wished the general arrangement to have included in the line the distance between Armagh and Belfast; but as that is already occupied by a company in full operation with the works, it is to be hoped

"Secondly, If these means be rejected, or fail to produce sufficient subscriptions to insure, in the first instance, the execution of the entire system, we would suggest that the work might still be allowed to go forward; beginning at Dublin, or other fixed terminus, to any other determinate point; such portion, however, not to be considered as an integral line, but only as a part of the general system, and to be considered from that point towards the ultimate intended termini of the several lines and branches, as new subscriptions are received. The subscribers to these continuations should be entitled to all the privileges and advantages arising from the whole portion of the line already executed, from the date of the payment of their respective subscriptions, equitably estimated according to the time when each subscription shall be made.

"Thirdly, We would venture to suggest, that the government should undertake either or both of the proposed combined lines on the application of the counties interested; the outlay to be repaid by small instalments at the lowest admissible rate of interest, and under the provision that in the event of the returns not paying the stipulated amount of interest the counties shall supply the deficit by presentments.

"In offering this proposition we may be allowed to state, that, relying on the result of our estimates, our impression is that the local districts, under such an arrangement, would, to insure a certain great benefit, incur but a very inconsiderable risk, freeing themselves at the same time from many inconvenient arrangements.

"This proposition is somewhat on the principle adopted for the improvement of the Shannon Navigation. It is of course susceptible of various forms and modifications; but we purposely avoid entering into details, which, however, we see no difficulty in filling up to suit all the circumstances of the case.

"Should either of the two latter suggestions be adopted, the government will possess an immediate interest in the due execution of the work, and must of course have a great share in its direction. But even were the work undertaken without public aid, we are still of opinion, that it should in a certain degree be subject to the control of the state."

Such being the case of the Commissioners, numerous and weighty objections soon began to pour in against it. The discontent of one set of complainants was forcibly expressed by a correspondent of the *Times* newspaper, under the signature of "A British Engineer."

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that a readiness to unite in the same system for fares, &c., as shall be adopted for the rest, may render the ruinous expedient of a distinct line unto Belfast unnecessary."

"The Commissioners," said the writer, "have performed the duties assigned to them in a peculiar manner. The government were instructed to obtain plans and estimates for canals. They were also to give facilities to companies forming to execute such lines between the principal towns in Ireland; and they were empowered or required to give to the undertaking such aid as they should be allowed to proceed. They were also to report whether any of the undertakings should be undertaken by the public authorities; and they recommended a grand government measure, by which the manner of the day is to undertake either or both of the two great lines they recommended. They were further to state in what manner local information was to be given for the purpose of executing their recommendations; and they wound up their report by calling upon government to advance the money required for carrying their scheme into effect at the lowest admissible rate of interest, and with the proviso that the whole is to be repaid by small instalments."

The terms of the case received a full, though not perhaps a favourable answer. In truth, the Commissioners erred most egregiously in the matter of their own manifesto. The statistics contained in the volume published by them demanded little more than the very reverse of those which they had drawn.

A glance at the map of Ireland will satisfy the most careless observer, that the principal rivers in the island lie on the eastern coast, or only a little removed from it, at the heads of the navigable rivers emptying themselves into the Irish Channel. The preponderating settlements of trade and population observable from the earliest times in this direction, was occasioned without a doubt by the proximity of England, and the ready markets offered by her for the purchase of Irish produce. Wakefield alludes to the fact, in his Statistical Survey, and it is repeated by Lieutenant Harness in the Report, Appendix III., p. 42. Talking of the amount of actual tonnage, which he ascertained to be moved into and out of the ports of Ireland, that officer says, "Such estimates must necessarily be vague in their results, but they are not likely to be incorrect to the same extent, when applied to Ireland, as they would be for other countries. Her inland traffic is almost exclusively

confined to the conveyance of articles to and from the ports. She has no great manufacturing inland towns receiving a variety of materials from different parts, and returning their commodities in complicated streams for exportation, or consumption. With the exception of the trade occasioned by four collieries, as yet of small importance, the linen, and some cotton manufacture in the northern counties, there does not appear to be any transit worthy of notice, of other than agricultural produce. The inland towns are only important in proportion as they offer good markets for such produce; and it is, in almost every case, to the facilities afforded by a navigation, that those of note owe their superiority. It may safely be said, then, that the only towns of real importance, in a trading point of view, are the ports; that the traffic of the country is confined, almost entirely, to forwarding agricultural produce to them, and receiving small supplies of imported articles in return."

Thus pursuing the north-east coast from Dublin, we trace successively Drogheda, Dundalk, Newry, Belfast, Carrickfergus, Coleraine, and Londonderry; and from Dublin, again, to the south-east, we find, within the limits described, Carlow, Kilkenny, New Ross, Wexford, Waterford, Carrick-on-Suir, Clonmel, Youghall, and Cork. In the following table, filled up from the Railway Report, will be found the population, tonnage, and value of the exports and imports of these eastern coast towns at the period referred to. By these details, it will be seen that the total population of the towns on the eastern coast was more than half a million; and that the total value of their exports was £15,111,159; and of their imports, £14,511,795 per annum. Now, in the Appendix to the Report, B 90, there is a summary of the value of all the exports and imports of Ireland, which makes the exports £17,394,813, and the imports £15,337,026. It is, therefore, manifest upon the showing of the Commissioners themselves, that nearly all the trade of Ireland, out and in, is confined to the side of the country nearest to England. The following is the table:—

	Population in [illegible]	Imports.	Value of Imports.
[illegible]	[illegible]	£1,318,543	£4,430,321
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
Clonmel & Portarlington	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]

On the opposite coast, there were only three places w[illegible] exceeding 10,000, namely Limerick, Galway, [illegible] Sligo, as to which, again, it is further observable, that [illegible] disproportion between their exports and populations, as co[illegible] particularly those just set forth, was very marked. For Lim[illegible]rick, with a population of 66,754, exported only 56,818 to[illegible] value £726,430; Galway, with 33,120, only 21,037 to[illegible] value £251,864; and Sligo, with 13,150, only 28,032 to[illegible] value £360,490.

So far, the Report furnished decisive evidence to prove th[illegible] Railways in Ireland, if they are to suit the trade and popu[illegible]tion of the country, as at present distributed, should mai[illegible] follow the eastern coast. This view of the subject w[illegible] pointedly confirmed by the report in an analysis made of t[illegible] map, compiled by Lieutenant Larcom, to indicate "t[illegible] direction and relative amount of travelling throughout t[illegible] country:"—"It will be seen, observes that officer, that t[illegible] stream of traffic is from Dublin towards Naas, wh[illegible] is into three branches—the one by Carlow, Kilken[illegible] mmel, to Cork; the other by Mountrath, Roscr[illegible]

and Nenagh, to Limerick; while the third, passing along the Grand Canal, is chiefly dissipated among the small towns on its banks, a small portion reaching Ballinasloe. Next in importance are the streams through Balbriggan and Ashbourne, uniting at Drogheda, and thence continuing to Newry; at which town a branch separates towards Armagh, where it is again subdivided into smaller branches; the principal of which pass by Caledon, to Omagh and Strabane, on the left, and to Moy, Dungannon, and Cookstown, on the right. The main line from Newry continues through Lisburn to Belfast. Next in magnitude to these two great lines is the stream direct to the west through Lucan, Maynooth, Enfield, Clonard, and Kinnegad, where a branch separates to Athlone by Kilbeggan; the main line continuing to Mullingar, and thence to Longford; from which a small stream passes through Carrick-on-Shannon and Boyle to Sligo. The Athlone branch continues to Ballinasloe, where another small division takes place, a portion diverging to Tuam and Castlebar, while the larger passes on by Loughrea to Galway."

These passages bear decisively upon the main question at issue. Lieutenants Harness and Larcom had no ulterior objects to realise. They accordingly described the condition of things as it really existed, and pointed clearly to the proper deductions. They proved the case against the Commissioners, unless, indeed, we are not to act in Ireland upon the received opinion which upholds the expediency of making railways where trade, travelling, and population are greatest; and also, unless of two competing lines, with equal engineering facilities, that is not to be esteemed the better which affords the most direct communication to the principal places. Upon the map which accompanies these observations, the main trunks projected by private enterprise are delineated. It will be seen that they pass, in the most direct manner possible, through the chief towns in every direction—that they pursue the existing streams of traffic and travelling; and, consequently, that, though laid down before the Commission was appointed, the information and judgment upon which they were founded were borne out and confirmed in the most



The Limerick and Munster Company was ever
The Limerick and Munster Railway admitted with
facility of communication to Cork, Limerick, Waterford, and Wex
ford, and it comprehended within its branches an immense
of the agricultural and commercial interests of the
of Ireland. Mr. Vignoles, the Commissioners' engineer
d "that it had been laid out with great judgment, and

that its gradients were very favourable." The characteristic gradient of the main trunk of this Company to Cork was 1 in 380, while that of the Commissioners was 1 in 180. They reported that—"The largest stream of traffic is from Dublin towards Naas, where it divides into three branches; the one by Carlow, Kilkenny, and Clonmel to Cork; the other by Mountrath, Roscrea, and Nenagh, to Limerick."* To comprehend the application of that passage with all the force properly belonging to it, the map must be referred to, and it will then be seen that, town by town, this is the precise course assigned by the forbidden lines of the Leinster and Munster Company between Dublin, Cork, and Limerick. It seems impossible to produce, or to imagine, a closer or more cogent testimony in favour of any case than the one here brought forward by the Commissioners themselves, to confirm the exact fitness of this project for the purposes it was intended to suit. Nevertheless, the whole was emphatically denounced.

The subjoined lists of the population, and Post-office revenues of the towns served by the two systems, omitting, however, those common to both, supplies rather a striking contrast.

Company's Line.	Population, 1831.	Post-office Income, 1836.			Commissioners' Line.	Population, 1831.	Post-office Income, 1836.
		£	s.	d.			£
Naas . . .	3,808	647	3	7	Rathangan .	1,163	206
Newbridge .	577	252	0	0	Monasterevan	1,441	256
Kilcullen .	699	402	0	0	Portarlington	3,001	428
Athy . . .	4,494	519	10	6	Mountmellick	4,577	586
Carlow . .	9,114	1,441	6	9	Maryborough	3,223	436
Leighlin Bridge .	2,035	341	0	0	Mountrath .	2,593	444
Bagnalstown	1,315	388	4	4	Borris-in-Ossory . .	650	160
Goresbridge	634	366	0	0	Rathdowney .	1,214	246
Kilkenny .	23,741	2,112	11	6	Templemore .	2,956	778
Callan . .	6,111	317	6	6	Thurles . .	7,084	559
Clonmel . .	15,134	2,930	9	7	Cashel . . .	6,971	842
Clogheen .	1,928	277	4	1			
Mitchelstown	3,545	394	9	2			
	73,135	£10,389	11	0		34,873	£4,941

* Report, page 20.

Upon the first appearance of the Report, the monopoly contemplated by its authors was quickly perceived and strongly condemned.* The government, nevertheless, accepted the recommendations of the Commissioners with unhesitating favour, and submitted them for adoption to par-

* Having been one of many who joined in an earnest effort to prevent the mischievous recommendations of the Irish Railway Commissioners from being carried into effect, I may perhaps be allowed to explain that this chapter is little more than an extension of a pamphlet addressed on that occasion to the present Lord Lieutenant of Ireland, and already referred to, page 267. Looking back at the year 1838, and contrasting the promising appearance of private enterprise in Ireland at this moment—January 1845—with the dead blank produced during the intervening six years by the support which Lord Melbourne's administration gave to the scheme of this Commission, I see no reason to regret the part I then acted, or that I ventured to conclude my address in these words:—

"To a statesman of your experience, my Lord, it were an extreme platitude to observe, that Ireland, for many ages, has been a prey to almost every form of misgovernment: but it may not, perhaps, be altogether irrelevant to point out, that it never has been oppressed by a more baneful evil than the one upon which I have already dwelt in these observations; the evil which, far from encouraging, has never allowed the Irish to enter, of their own free accord, upon any of those great industrial undertakings, by which the genius of an enlightened nation is exercised, invigorated, and advanced to the highest state of prosperity. The only standard of true excellence, in a commercial people, that of labouring for themselves and by themselves, has never been fairly admitted in Ireland. Unfortunately for that country, a corrupt set of canting hypocrites and interested knaves have always prevailed in it, who have found their account in persuading the people that they are wholly unequal to the arduous task of bettering their own condition, or the condition of the country, if left to themselves. The Irish have thus been systematically broken in, and trained to the impression, that government is to do everything for them, that is or can be done, and the consequence has been that nothing ever is, or can be, well done in Ireland. The time, however, has at last arrived when this most vicious and depressing state of things may be safely corrected. Ministers have now an opportunity of introducing that best of all reforms, which, if promptly and prudently taken advantage of, will redound to their highest honour and be of the most substantial and enduring service to the people. Let the progress of public improvement in Ireland be no longer loaded, under the captivating promise of government assistance, with the heavy drawback of party patronage;—let it not, under the plausible appearance of state control, be subject to the rude checks and dogmatical experiments of mere placemen;—let the Irish people, by careful steps and moderate degrees, be led, won, taught, nay, if necessary, constrained to originate themselves and perfect the improvement of their country,—instead of being the task-led instruments of an ever-changing and seldom useful policy in the hands of those upon whom, though unconnected with the country, every high post under government is almost invariably bestowed;—let this, the truly liberal and only honest system, be fairly attempted for a short period, and, assuredly, it will prove successful.

liament with an apparent unconsciousness of the violence they were offering to established principles. This conduct presented not the least strange of the many extraordinary features of a most singular case. The ministerial proposal was brought forward by the Irish Secretary, Lord Morpeth, in the House of Commons, March, 1, 1839. According to this scheme, railways in the North of Ireland were to be left to private enterprise, while in the South they were to be constructed at the public expense. The most opposite systems were thus to be established simultaneously. For the latter scheme a sum of £2,500,000 was called for in the first instance, intimation being at the same time given that ten millions sterling in the whole would be required to complete the main trunk from Dublin to Cork with the proposed branches. The profit calculated upon this expenditure was 4 per cent. but if the hopes of the projectors should meet with disappointment in this respect, and a loss result, the deficiency, whether great or small, was to be met, and covered by an assessment to be levied upon the counties traversed by the line.

A long debate ensued, but with the exception of a speech

Then, indeed, we may reasonably indulge the expectation of seeing Ireland honourably emulous of England, and her generous equal in all those pursuits so distinctive of the excellence of the English character, which dignify, while they enrich society, and prove that to be the happiest condition of a people which is sustained, as it has been produced, by their own independent exertions. This, as regards Ireland, has hitherto been only a vision of poetry. Beautifully painted and warmly described in flowing numbers and ingenious verse, the vivid aspiration flashes occasionally upon the mind, and vanishes like a dream. How noble the task to embody the poet's imagination in the forms of living truth—to turn into reality his buoyant fancies—to crown the faithful hopes and fulfil the long desires of a race, animated for ages throughout the rudest shocks of danger and the most trying distresses, with a noble confidence in tardy justice and a better fortune—to evolve in fruitful order, and give their full measure of practical utility to the still sound and vigorous capabilities of a country which have proved stronger than the most galling tyranny and the most insinuating corruption—to gather, in short, for a great and generous people the rich harvest of peaceful prosperity, the seeds of which, so constantly sown by God, have never yet been reaped by man.

I have the honour to be,
My Lord,
Your very faithful and obedient servant,
GEORGE LEWIS SMYTH.

against the motion by Sir R. Peel, the eloquence displayed upon the occasion was neither animated nor instructive. Sir Robert examined the question with his usual judgment and practical skill. He deprecated the attempt to depart from the principle hitherto considered the only one which ought to guide the application of capital to works of this description. He denied that it would be for the benefit of Ireland to teach it to rely on the intervention and support of the government, and urged that enterprise should be left free, and that the same money should be allowed to follow the example of England, promising for the same improvement, the same prosperity, and the same facilities for communication, to precisely the same means as had insured them in England."

On a division there appeared for Lord Morpeth's resolution, 144. against it, 180. majority, 44. This was moderate success, but it was more apparent than real. Many of the most decided supporters of government left the House without expressing their opinions, and not a few of those who constituted the majority took care to intimate that their future votes in favour of so monstrous an experiment were not to be expected. Out of the House, the scheme was not unfrequently denounced in terms of indignant reprobation. Pressed by this force, Lord Morpeth was soon constrained to retire from the contest, and announce that the government would abandon the field altogether to private enterprise. But he was weak enough to neutralize any good effects that might have resulted from this declaration, by making another before the session closed, which again involved the whole case at issue in doubt and uncertainty. In the month of July, and in a House of thirty-six members, his Lordship announced "that if, next session, it should be found that private enterprise was insufficient and incompetent to complete these works, the duty would devolve upon government to propose that which they thought would be most conducive to the interests of Ireland!" In this language every one who took an interest in the question read the old fable of the Dog in the Manger, and the result was, that while the cabinet of which his Lord-

ship was a member remained in office, no progress was made in the construction of Irish railways.

The last attack, and that too was unsuccessful, made by the Board of Public Works upon private enterprise, was the one directed against the Lagan Navigation. In the session of 1840, a bill for vesting that undertaking in the Commissioners was presented to the House of Commons by Viscount Morpeth. By that measure all the powers of the undertakers, and their lands, tenements, and property of every description were to be taken away and vested in the Commissioners, together with all the claims and rights of their predecessors, the long defunct Commissioners of Inland Navigation.

A short account of the Lagan Navigation, and of the taxes granted to support it, has already been given. Private persons had contributed money towards the work as well as the state. But the taxes had been granted for limited periods, and as they expired, the undertaking became considerably embarrassed, and disputes arose between the Treasury on the one side, and the Company and its creditors upon the other. These appear to have been adjusted to a certain extent in the year 1825, when an award was made for the payment to the debenture holders of a perpetual annuity of £2,900, redeemable upon the payment of £62,000. The award also vested the navigation in the debenture holders on certain stipulations for a period of twenty years.

In the year 1834, disputes again came to a head between the Treasury and these parties, which led to a suit in the Irish Court of Exchequer. The cause was instituted by the Crown, was argued for five days, and then dismissed by the Barons in terms decidedly affirmatory of the rights insisted upon by the undertakers and their debenture holders. But the navigation was not sufficiently productive, and five years were spent in vainly soliciting the Treasury to adjust the outstanding claims of these parties. At length a Minute was made, by which it was agreed that an act of parliament should be applied for and the moneys in dispute should be settled by arbitration.

It was in consequence of this arrangement that Lord

Morpeth, as Secretary for Ireland, introduced the bill already spoken of. The Commissioners on this as on other occasions evinced considerable diplomatic talent. In point of fact they proposed to get rid of the claims of their opponents by a summary process. The bill contained an arbitration clause, as had been agreed upon, but it recited that the claimants affected by it had repaid themselves by dividends made out of the annual profits of the navigation the sums they had paid for their debentures, and that no money was due to them! The arbitration thus became a plausible nullity, for it is obvious that if the bill had passed into a law with the recital referred to in the preamble, there would really have been nothing to arbitrate upon. The parties claimed a debt due for money paid on debentures in their possession, and they agreed that all particulars should be decided by arbitration. The bill declared that nothing was due, and then gave the parties leave to arbitrate!

This disingenuous proceeding was followed by three years of parliamentary litigation. At the end of that period the Commissioners were wholly defeated, and an act was very properly passed, 6 & 7 Vict. c. —, incorporating the claimants upon the Lagan Navigation as a joint-stock company, and providing for the future maintenance and improvement of the undertaking under their management. In this result there appears no ground for the expression of dissatisfaction save this one—the expenses of the discomfited Commissioners were paid with the public money.

We owe to the controversies and discussions elicited by the government scheme of railways for Ireland a number of parliamentary returns respecting Irish public works, and the amount of money expended upon them. Having already particularised the sums voted by the Irish parliament for these purposes, and having also specified the outlay of the Board of Public Works and the Commission for improving the Shannon, it will now be proper, in order to complete the subject of this chapter, to fill in some other items of expense, and thus exhibit in one view the contributions made by the

parliament of the United Kingdom to the improvement of Ireland by endeavouring to aid and promote public works in that country.

A return, dated 17 August 1839, was ordered to be printed by the House of Commons, which furnishes in detail "all the sums of money voted or applied either by way of grant or loan in aid of Public Works in Ireland, including all sums advanced for making roads, and the employment of the poor in fisheries or otherwise. The total advances, according to this authority, from the year 1800 to June 1, 1839, was £8,828,141 14*s.* 1*d.* An explanatory analysis prefixed to the return furnishes the general heads of account, by which it clearly appears that a considerable portion of the money was voted and applied to objects altogether different from those referred to in this chapter. The Royal Dublin Society received £285,438, the Dublin Farming Society £87,132, and the Dublin Linen Board £537,656. The account further includes £749,541 for churches, £486,995 for gaols, £435,167 for hospitals, £80,414 for law courts, and £693,399 for the relief of the poor, besides other items.

Had even a few conspicuous good works come of these numerous Commissions we might be induced to reconcile ourselves to their frequency, and the expense they have occasioned. When we find them equally at variance with sound principles, and unproductive of improvement, we are bound to stigmatise and condemn them whenever the opportunity offers.

Amongst other items explanatory of the manner in which these millions were applied, are the following:

Howth Harbour, already choked up with sand .	£420,472	3	5½
Kingstown Harbour, a good and convenient work	576,521	19	0¾
	£996, 994	2	6¼

The Port and Harbour of Dublin (improved certainly, but by no means to the full extent) obtained the following sums:

1802	Survey of Bay, &c.	. .	£595	7	2
1804	Quay walls in the river Liffey		8,546	12	7
1804	Improving Harbour	. .	951	12	5
1806	Ditto	Port . . .	10,892	10	7
1808	Ditto	ditto . . .	8,580	19	7
"	Ditto	ditto . . .	6,890	14	3
"	Ditto	ditto . . .	15,226	10	10
1810	Ditto	ditto . . .	6,976	19	5
"	Ditto	ditto . . .	5,256	10	6
1812	Improving Port	. . .	4,434	0	9
"	Ditto	ditto . . .	6,566	11	6
1817	Ditto	ditto . . .	5,671	19	5
1818	Ditto	ditto . . .	2,977	2	10
"	Ditto	ditto . . .	3,794	6	11
"	Ditto	ditto . . .	7,386	11	1
"	Ditto	ditto . . .	4,135	2	10
1819	Ditto	ditto . . .	5,603	1	7
"	Ditto	ditto . . .	4,563	13	3
"	Ditto	ditto . . .	6,715	6	8
1821	Ditto	ditto . . .	10,606	2	0
"	Ditto	ditto . . .	7,050	6	10
"	Ditto	ditto . . .	4,476	15	7
1823	Ditto	ditto . . .	14,132	4	0
1825	Ditto	ditto . . .	8,361	0	3
1826	Ditto	ditto . . .	8,787	14	0
1831	Ditto	ditto . . .	11,090	12	2
1836	Ditto	ditto . . .	10,411	12	4
1837	Ditto	ditto . . .	5,651	9	7
			£199,615	13	11

Personal interests are seldom neglected when pecuniary favours are in a course of distribution under the patronage of government. By these returns Lord Annesley appears to have received for a pier on his estate at Dundrum in the year 1807, £7173 19*s.* 6*d.*

The Marquis of Sligo appears to have received in 1805 for improving the town of Westport, his own estate, £3,452 6*s.* 2*d.*, in 1806 for a lighthouse on his estate at Clare Island, £1,361 15*s.* 8*d.*, and in 1808 for improving the Harbour of Westport, also his estate, £738 9*s.* 3*d.*

The Bishop of Down and Connor obtained for building a suitable residence, between the years 1826 and 1837, £10,000.

For Courtown Harbour, the estate of the Earl of Courtown, there was advanced between the years 1824 and 1838 a sum of £20,458, which has all been expended. The harbour is now so shallow that a fishing smack can seldom navigate it with safety.

Mr. P. Leader, to work a colliery in the county of Cork, received between the years 1818 and 1833 £19,230 15*s.* 4*d.*

Other instances of this class are to be found, and it is with them and the whole outlay before our eyes that we have now to put the serious question—what is to be done for the future? Is there any other than but one alternative, either to persist in the old system—if such indeed it may be called—hoping to moderate its excesses occasionally, or by a vigorous exertion to renounce it for ever as wholly unimprovable? Superficial observers may indulge in fanciful theories, interested persons will be always biassed by their peculiar stake in the issue, but the more attentively the case is examined by impartial judges, the more powerfully will the conviction impress itself upon the mind that experience supplies no fact of any importance, and political economy suggests no argument of any weight, in favour of the old course of proceeding. That is evidently worn out, and every way unsuited to the present circumstances of the country. Where are the benefits at all commensurate with the outlay that has taken place? Where are the great works achieved by these Government Boards, where the marked improvements in the condition of the people or the country traceable to their exertions, and justly due to the many millions intrusted to their hands? They are not to be found—they have never existed. Nor could it have been otherwise, for these functionaries never possessed the confidence of the community and have seldom been held even in respect. Is it necessary to add that they have never stimulated the energy of the people—that they have in no degree elevated the national character, nor directed the national industry, to any result worth commemorating. They

have been endured under one denomination or another upwards of a century, and during it, it is no exaggeration assert, that they have mitigated no evil, but created ma and have invariably proved the ready instrument of manif corruption.

Let the Board of Works then be abolished, and let moneys lent for Irish purposes be advanced by the Exchequ Bill Commissioners, but at the same time let the Irish depa ment of the Woods, Forests, and Land Revenues, who h always exercised authority in Ireland, be enlarged. I there be a suitable office maintained in Dublin for the tra action of the business properly belonging to the Irish bran of that office, and let it be the duty of the Crown Comm sioner for Ireland to spend a fair portion of his official l in that country, and personally superintend the local interes more immediately committed to his charge. By the adopti of this change there will soon be a considerable gain in poi of economy and practical efficiency. England, Scotland a Ireland will then be brought under the action of the sam principles and system, legitimately applied to their comm service by one governing body. Then we shall no long have the Board of Works doing one thing in Ireland a the Woods and Forests another. An equal administration affairs will prevail throughout the empire at large, and all th conveniences of centralisation will be united with the adva tages of a local or departmental administration. The Com missioner sitting occasionally at the Board in London, a occasionally superintending the progress of his own particul business in Ireland, will carry with him in council an exte of information not commonly brought to bear upon the tran actions of business, and he will be sure to season and reg late his official acts in Ireland with a spirit and a system all times much wanted in that country.

We repeat, therefore, let the Board of Works be abolishe and let the great field of improvement offered by the count be thrown open for the future to the energies of priva enterprise upon honest conditions. For this purpose, and

ensure a fair trial of the system recommended, the different undertakings, so long overloaded with public debts, ought to be relieved of their incumbrances. It is but equitable that they should enjoy the opportunity of starting in a fresh career of usefulness, clear of all restrictions and embarrassments arising from past misfortune or mismanagement. By this process the old debts due by the Wellesley Bridge and Docks, by the Galway Docks, by the Ulster Canal, and other undertakings similarly circumstanced, would one and all be compounded. And wise would it be to make such compositions, for those debts are bad in every sense of the expression. They should therefore be treated without further delay according to the precedent furnished by the Treasury in the case of the Branches of the Grand Canal. In that case, as in those now under consideration, a sufficient income had never been raised from the works to pay the interest of the money advanced by Government to make them, which, accumulating year after year, periodically augmented the amount to be repaid. At last the Lords of the Treasury disposed of the whole debt, principal and interest, upon the common terms adopted in mercantile and other matters of business. The actual net value of the property was ascertained irrespective of the mortgage upon it, and a sum equal to the purchase of that income, considered as an annuity according to the government tables, was accepted as a full satisfaction of all that was due. The same relief ought to be afforded in the remaining cases. The money due amounts to a large sum, but it has long since been virtually lost. The produce of the works does not suffice to pay the interest upon their respective debts—where then is the policy of maintaining a set of claims that are really of no value?

Another desirable measure to accompany the proposed change would be the consolidation of several small works, kindred in their nature and objects, and not far removed from each other in point of situation, into one large and respectable undertaking. In this way several enterprises taken by the Board of Works from joint-stock companies

would be restored to the management of their legitimate promoters; and they might, at the same time, be considerably benefited in several instances by appropriate amalgamations. For instance, the Upper and Lower Boyne Navigation and Drogheda Harbour ought obviously to be in the hands of one company. All three under separate managements will be petty speculations, and scarcely equal to the discharge of their respective expenses. If united together and managed under one staff and one direction, they would constitute a respectable and a profitable undertaking. The same remark applies with equal force to other cases, but it is unnecessary to particularize them.

Clear, however, as must be the conviction upon the mind of every calm and disinterested observer respecting the advantages that would quickly arise from an abandonment of the institutions hitherto so fruitlessly, yet so expensively, maintained in Ireland for the promotion and extension of Public Works, there is too much reason to fear that no reform in them will be immediately attempted.

There is unfortunately in every government, and in the government of Ireland more than any other, an irresistible tendency to regulate and restrain the popular action, and this passion grows stronger the longer it is indulged. The Ministry of Lord Melbourne was deeply imbued with its spirit, and owed the unpopularity under which it ultimately dropped from office more to that fault than any other in its composition.

There was displayed by that cabinet an irrepressible partiality for men who played the part of general busy-bodies. With them the best recommendation for office too frequently seemed to be a restless fancy for meddling with all things public and private—an indomitable determination that whatever was to be done in the country should somehow or other be done through the instrumentality of government. Where the nature of things rendered it impossible for such a body to act directly, it was to superintend and control. Poor Law Boards, Education Boards, Railway Boards, Drainage Boards,

and Navigation Boards and Commissioners too numerous to be described or remembered, were then the order of the day. When a ministry falls into an extravagance of this kind, we detect the error of its ways by a simple reference to the proper functions of government, which are confined to defending the people from foreign injury, and preserving peace, order, and comfort at home. Beyond this duty there are few acts which can be undertaken by a government without trespassing upon the constitutional liberty of the subject, and almost every obligation incurred by a government which has a further tendency is a mistake most likely to eventuate in a mischief, or a wrong.

As to Ireland it is impossible to track the current of events in that country, without perceiving that among the various causes to which the distress and disturbance so constantly prevailing in it are to be assigned, not the least powerful is the total want of those intermediate interests so naturally and efficaciously promoted by private enterprise in the successful prosecution of public works. These produce a new estate in a country, and they are most desirable in one where the existing sources of employment and profit are almost wholly agricultural—where no fruitful body whatever intervenes between an ill-devised, poorly appointed, and inefficient local government, and a mass of peasantry utterly helpless, though distinguished for great bodily strength, patient labour, and a lively intellect.

To such a people the prevailing system in Ireland cannot but prove injurious. While the Government is found willing to undertake every great work that is required to improve the country, the people are effectually discouraged from studying how to promote national improvements themselves. They are kept in a state of impotent pupillage, and degrading inactivity. The more a minister does, the more he is expected to do. No bounds are put to the demands made upon the state for the employment of the poor and the development of the national resources, and so often have these been pressed with plausible eloquence and importunate assiduity, that it has

repeatedly been deemed a matter of course to give them a colourable encouragement. While such a habit prevails, how vain to hope that the vital principles of social and commercial progress, self exertion, and competition, will ever be cherished! Low indeed must the condition of that country always remain, and limited the skill and enjoyment of its inhabitants where the Government is the main promoter of improvement, the only patron of merit, and the principal rewarder of industry.

Well then may it be asserted that the state of Ireland will never be sound, nor its prosperity be based upon a sure foundation, while the practices here condemned are continued by the Government. Nor let it be said that the subject has been dwelt upon at too much length in this chapter. Its importance cannot be overrated. They only can estimate correctly the sum of the injury thus vexatiously inflicted upon the country, who have been witnesses of the extent and intensity of its effects. Take one of the latest instances. About the year 1843, the contract held by a London Company for lighting Dublin with Gas being about to expire, some members of the Town Council of the latter city and other gentlemen proposed to form a company for supplying the article themselves. One would have supposed that the citizens of Dublin would have been permitted to undertake amongst themselves and of their own accord, an office so simple and so natural, as that of lighting their own city with gas. But it was not so. Even here the Government interfered. The Under Secretary at the Castle, and the Lord Mayor, entered into a formal correspondence upon the subject, different opinions were broached, as a matter of course where different interests were felt to exist, and ultimately a commission was appointed to inquire and report. And a report was made but never printed.

Its authors—or possibly the Government—grew ashamed, and the document was suppressed. The citizens were thus able to carry their object at last, but their success cost them a struggle of two years' duration, with the pressure of the

Government—no light odds bearing against them all the while. To some persons this matter may perhaps appear too insignificant for serious notice; but as an example of the obstacles habitually thrown in the way of improvement in Ireland, by persons who intercept the influence of Government, it is by no means an unimportant incident. Its very insignificance, moreover, bears a particular value, if rightly construed. For if so small an affair was impeded by so much delay, what, we may fairly ask, would be the difficulty and discouragement produced if the venture proposed had been one of considerable extent or real consequence?

It may perhaps be pleaded that the act of the Government on this occasion was well meant, and should therefore be favourably considered. But taking the Commission in its very best sense, what more can be said for it than that it was an attempt to point out to the citizens of Dublin how far it might, or might not, be advantageous to them to provide their own gas? That, however, is not one of the functions of Government. "The statesman," says Adam Smith, "who should attempt to direct private people in what manner they ought to employ their capitals, would not only load himself with a most unnecessary attention, but assume an authority which could be safely trusted, not only to no single person, but to no council or senate whatever, and which would nowhere be so dangerous as in the hands of a man who had folly and presumption enough to fancy himself fit to exercise it."—*Wealth of Nations*, book iv. c. 11.

CHAPTER XV.

LAND HISTORICALLY CONSIDERED.—ANTAGONISM OF THE TWO GREAT CLASSES.—LANDLORDS AND TENANTS.—ANCIENT TENURES OF THE COUNTRY.—PROGRESS AND EFFECTS OF CONFISCATIONS.—FORFEITURES AND LAWS AFFECTING LAND.—CONDUCT OF LANDLORDS, AND CONDITION OF PEASANTRY.—TENURES THENCE ARISING.—STATISTICAL RESULTS.—REVIEW OF REMEDIAL MEASURES.

THE subject-matter of the present chapter is beset on every side with infinite perplexities. All of these are formidable, and not a few peculiarly grave and distressing. There is not a form into which the general question can be thrown for the purpose of discussion, that will not be sure to excite some prejudice so rooted, or some animosity so violent as to render dispassionate and impartial investigation almost impossible. Above all, it is most difficult to meet with honest witnesses and correct information. The litigatory interests are marshalled into extreme parties, animated by a fierce spirit of implacable antagonism. On both sides the great object (and often unconsciously) is, to dissemble and mislead. Whether the adverse forces appear in the arena bodily, or allow their different causes to be agitated by advocates and apologists, the attention of the most intent observer is almost irresistibly drawn off in the majority of instances, from the real points at issue by a display of collateral or incidental matter, which is often managed with considerable art, and almost invariably with a superabundance

of zeal, injurious to the discovery of truth, and the progress of improvement. On both sides, moreover, there is a conscience-stricken sense of so much that is radically bad—of so much that will not bear the ordeal of strict investigation—of so much that common justice and humanity can in no shape tolerate or excuse; that neither the parties themselves, nor their witnesses will dare to make a frank avowal of their pretensions, or venture to act boldly in the open face of society upon the impulses and feelings they really cherish. A strong and decided spirit of freemasonry pervades the country; landlords and tenants are bound by it, each to his own class, and it is only in the innermost circle of those classes that the due measure of protection is afforded, which inspires the respective members to reveal, in all their natural force, principles and passions subversive to the last degree of anything like happiness in society, and strength in government.

He, then, who would judge fairly and rightly between the two factions, must know them both intimately well in the confidential relations of private life. There only can he hope to find the key that opens the lock of sincere opinions. There only will he be able to discern, in the full extent of its naked enormity, the positive and disheartening truth, that the most fatal symptom of the diseased condition of society in Ireland is a perverse bias, deeply seated in the minds of the two great classes—landlords and tenants. He will feel that these ought to be one and the same in point of sympathy,*

* "Whoever," said the late Chief Justice Bush, charging a Special Commission at Maryborough, "confines his estimate of the consequences of such a confederacy to the mere outrages and crimes it produces, has I fear but superficially examined the subject. Such consequences may be occasional and transient, but the moral influence upon society of such a diseased state of human character must be deep and permanent. The bad passions let loose, the charities of life extinct, those relations dissevered, which between the higher and lower classes are the offspring of reciprocal protection and dependence—confidence displaced by suspicion, and fear, and hatred, in all classes vitiating and corroding the heart of man; these are productive seeds which threaten a fearful growth, and if the mischief be not put down, every reflecting man will look forward to the necessary influence of such a state of things upon the future destiny of Ireland, as operating far beyond the local disturbances of a provincial district."

because they have essentially a common interest, and he will find that they are not merely opposed to, but heart-hardened against each other. He will mark the tenantry, when a landlord is murdered, struck by no sorrow. He will hear them vindicate the crime, and may catch them shielding the perpetrator from justice. On the other hand, he will meet some ten or twenty families evicted from their miserable cabins, and after listening in vain for some expressions of compassion for the outcasts, he will hear landlords commend the legal hardship by which perhaps a hundred human beings are turned out helplessly upon society, without employment, food, or the shelter of the meanest roof to protect exhausted nature from the pinching inclemency of the weather.

Nothing has been more common, and nothing more just than the censures passed upon the rapacity and heartlessness of Irish landlords. To the full as common, and to the full as just are the denunciations hurled against the habitual lawlessness of the Irish peasant, against the frequency of agrarian murders—murders of which the commonest features are those most degrading to the character of man—extreme cruelty and extreme cowardice. The unnatural antagonism of these two classes forms by far the worst of the manifold disorders to which Ireland is a prey.

In the broad statements of grievances, as they are generally put forward by the two classes, truth is seldom violated. But the whole truth is not always told. There are unquestionably very bad landlords and very bad tenants; but there are also good of both classes, and it is both unjust and pernicious to lay a particular stress either upon the harshness or the criminality of the one set of men or the other without relieving the weight of the imputation by introducing a becoming account of the virtues, neither few in number nor poor in quality, which belong to each of them.

A slight examination of the main points at issue will suffice to show how cautiously they are to be dealt with. Take the common case of a landlord in the South of Ireland. A lease drops, and he finds twenty families starving upon twenty acres

of his estate, which had originally been set to an individual as one farm. Naturally enough he desires to clear his farm of these poor creatures, and to place in their stead a few substantial tenants. But the twenty families—men, women, and children—possess no earthly means of subsistence save the potato crop grown upon the patches of land attached to the miserable cabins they have constructed there with mud. Those patches of ground they will not surrender: for if they do, they will give up with them their only food. That miserable cabin they will not stir from, because if they do, they will have to sleep in the open air. They will beg, borrow, and promise to pay any amount of rent; they will undertake to do anything—but depart. No land, however, can bear such an infliction, and the landlord has no alternative but passive subjection to an increase of that evil or ejectment. After a struggle more or less protracted and distressing, the law is aroused to vindicate his rights, and it sustains them in arms. The civil and military force, cavalry, infantry, police, subsheriffs and stipendiary magistrates, march upon the farm—the cabin doors are broken in; the roofs are torn off, and the withered straw is scattered to the winds; the old walls are razed to the ground, and twenty families are driven forth at the point of the bayonet. The ejectment has been served, and the landlord and the land being satisfied, the soldiers march back to their barracks, the police to their station, while the forty families—men, women, and children—huddle together in a ditch by the road-side to brood over their misery. There is no reason to expect help, but there is room for revenge, and murder is committed: the landlord or his agent, or the incoming tenant is shot, and the wreck of the ejectment smokes with human blood.

Now in this case—and it is not an extreme one; on the contrary, it is one that occurs in six out of the twelve months of every year that now passes or has passed for upwards of a century—the position of the landlord claims the most serious attention. It is not with him merely a question of improving his property, but of arresting the progress of an evil which, if permitted to continue, must inevitably make him a pauper as

much as any tenant upon his estate. For no property can possibility bear the incubus of a population increasing numbers and in poverty, as these settlements invariably increase in Ireland. Where the people go on subdivid the land into smaller and smaller strips, and the smaller subdivision, the greater the number of the persons deriving subsistence from it, it is absurd to attach any idea of va to the property. The process resorted to is a subversi of the first condition of value, the first laws of property, every essential element of private and public prosperity.

On the other hand no language can be too affecting describe the distress of the evicted wretches. The amongst them who desperately avenges the sufferings of whole body by committing murder, places himself beyond pale of the social system and is not to be pardoned. But all the others, can pity be too tender, or charity too genero Even when they dwelt in their cabins, and lived only u potatoes, they were amongst the poorest, the least informed, most simple of human beings. But now that he stands at road side—with his old mother on one side, his wife another, and three or four children dragging at his heel houseless—hungry and helpless—without a single prospect hope of succour, subsistence, or help before him—can imagination picture to itself an extreme of existence, every so full of hardship, as that of the evicted Irish peasant? there be on earth a state of natural despair, it is his.

Difficult, however, as the subject undoubtedly is in different bearings, there still appears no reason to supp that it is invincibly obdurate and intractable. If the pro order of events be steadily followed—if the relative positi and rights of all parties affected be carefully traced and fai defined, and if those positive facts be plainly set forth out which the present unhappy condition of things has been painfully evolved, we shall not find ourselves unable to disco the necessary correctives, as well as the proper mode of app ing them. Long as the disorder has prevailed, and far its ravages have extended, even a cursory survey of

country and its history will clearly indicate that we have three principal producing causes to deal with—first, the laws, and as well those that have been, as those that remain in force; secondly, the manner in which the landlords have from time to time put those laws into execution, and cultivated the property given by them, and thirdly, the conduct of the peasantry, suffering as they have continuously done the double pains imposed upon them by the enactments of the law, and the mixed severity and indifference of the landlords and law makers.

In order to understand the present condition of the landed interests in Ireland, it is primarily necessary to ascertain the various tenures into which those interests are subdivided; and if we are to account with any degree of distinctness or satisfaction for the intricacy of those interests, and the wretchedness attending upon them, we shall require a thorough knowledge of the numerous and violent changes which were imposed from age to age upon the owners and occupiers of the soil by the force of arms, and, often more violent still, by the force of law. These have been already spoken of under the head of Historical Outlines; but a connected review of them here, even at the risk of repetition, is indispensable, if we would not plunge into the labyrinth they have formed, without a direct light, and immediate guide to clear away the surrounding obscurity, and point out a track that may be safely followed.

It is a curious fact, that about the last of the great reforms introduced into Ireland by the policy of the English Government, and of all others, perhaps, that which has been most completely executed, was one that radically affected and recast the tenure of land throughout the island. The old Irish principle of tenure in common prevailed at the period of the invasion, and was maintained with inflexible attachment for ages afterwards. The chieftain and the tribe held together the lands within their district, each, in his degree and according to his age possessing an inherent right to his share of the whole, exclusive of all strangers. The reign of James I. had been reached before this impoverishing law was abolished.

At present very few vestiges of it remain: it may be said to linger feebly in the rundale system of one or two of the northern counties — but though a large number of acres appear by the Land Commission Report to be held in joint tenancy, the people are universally found to cling whereever they possibly can to a separate holding. Leases of joint tenancy were common fifty years ago, but a lease to more than one person is now rarely applied for.

Sir John Davies differs in no material respect from the native writers in his account of this ancient tenure, nor does he fail to notice emphatically the evils consequent upon its adoption by the new settlers.

"In England," he says, "and all well-ordered countries, men have certain estates in their lands and possessions, and their inheritances descend from father to son, which doth give them encouragement to build and to plant, and to improve their lands, and to make them better for their posterities. But by the Irish custom of Tanistry the chieftains of every country, and the chief of every sept, had no longer estate than for life in their chieferies, the inheritance whereof did rest in no man. And these chieferies, though they had some portions of land allotted unto them, did consist chiefly in cuttings and cosherings* and other Irish exactions, whereby they did spoil and impoverish the people at their pleasure. And when their chieftains were dead, their sons or next heirs did not succeed them, but their Tanists, who were elective, and purchased their elections by strong hand; and by the Irish custom of Gavelkind the inferior tenancies were partible amongst all the males of the sept, both bastards and legitimate; and after partition made, if any one of the sept

* Cosherings, as this distinct and strong-minded author afterwards explains, when describing the extortion of coigne and livery, were an extension of the Irish custom of Bonaght, "a most heavy oppression and crying sin, that did draw down as great or greater plagues upon Ireland than the oppression of the Israelites did draw upon the land of Egypt"—cosherings "were visitations and progresses made by the Lord and his followers among his tenants, wherein he did eat them, as the English proverb is, out of house and home. Sessings of the kerne and his family called kernety, of his horses and horse boys, of his dogs and dog boys, and the like, and lastly, cuttings, tallages or spendings high and low at his pleasure; all which made the lord an absolute tyrant and the tenant a very slave and villain, and in one respect more miserable than bond slaves, *for commonly the bond slave is fed by his lord, but here the lord was fed by his bond slave.*"

had died, his portion was not divided amongst his sons, but the chief of the sept made a new partition of all the lands belonging to that sept, and gave every one his part according to his antiquity."

Mr. Eugene Curry, an Irish scholar of considerable research, has given a similar account from the extant Irish manuscripts.

"The tenure of land among the ancient Irish was of various kinds.

"1. The land of the free tribe under a chief of their own family.—In this case the occupiers were obliged to maintain the chief's household in food, clothing, &c., and to maintain him in his offensive and defensive warfare, each contributing according to his holding. The lands were liable to sub or new division in every fourth generation, and it was competent in any of the occupiers to give 'his place' in the land (*i. e.* to sell his interest) to any person of the tribe, or to pledge but not sub-let it without consulting the chief or the tribe at large; but he could not sell 'his place' in the lands to a stranger without the consent of these parties. In this case the immediate chief was not absolute in the disposal of the lives or property of his dependents, as the chief prince immediately above him had always the power to compel him to the fair and faithful performance of the conditions mutually agreed on by the original constituent parties of the chieftancy. An occupier of this class could not be dispossessed except on his commission of some heinous crime, when he was deprived of his patrimony and cut off from the tribe. An instance of the interference of a superior chief occurs in an old Irish covenant, made between Conor O'Brien, Earl of Thomond, who died in 1540, and Teige M'Namara, chief of his own name at that period. O'Brien took M'Namara prisoner, and one of the conditions of his liberation was, that he (M'Namara) should not oppress the Clan Cuilan (his own tribe), nor exact any tributes from them beyond what they paid to his father and grandfather, as should be testified by the steward and bailiffs of the territory.

"2. A man holding his proportion of his tribe land, and also holding land, at rent, from the chief or any other land above him, or from the church, was allowed to dispose of his tribe land (under certain circumstances), by gift or sale, but not of the lands of the chief or of the church. These he should either keep to himself or restore to their *fundamental* owners.

"3. A stranger, who took lands from the chief, at rent and service, during pleasure, or 'at-will,' might, at any time, go away, taking with him one-third of the property on the lands, and leaving the other two-

thirds to the lord, in lieu of the use of the lands and the protection afforded him. But should this man remain on the lands during the succession of three lords he became naturalised, and entitled to all the privileges of a tribe man.

"4. If a man took land for a fixed term of years, and he enjoys it during that term, he must, if he goes away, leave all the buildings and other improvements to the landlords; and if he should go away of his own will before the expiration of the term, he must leave the improvements with the lands to the lord; but if he be forcibly turned out before the time expires, he takes all the improvements with him. The tenant at will had the same liabilities and privileges as regards building, &c.

"These are the leading features of the tenant laws in ancient Ireland as prescribed in the ancient manuscripts, law tracts, which have come down to us; and there is reason to believe—indeed it is the fact—that they came down almost in full force to the reign of William and Mary." —*Letter to Pierce Mahony, Esq.*, 1845.

Such was the law observed by the Irish and tolerated by the English for a term of 400 years. It would be a superfluous task to show how necessarily it deprived the temporary holders of land of all the natural inducements to build upon the property, or otherwise improve it, and how necessarily also it kept the country waste and desolate. Where the extent and value of every man's interest in the soil was precarious and ephemeral, the occupier as a matter of course grew careless of its cultivation, and was always impoverished. Continual wars and the ever contending interests of the two races, English and Irish, increased in number and quality the disastrous effects produced by the transient character of this original tenure. There is no precedent or parallel for so monstrous a state of things in the whole course of history. Here were two races fighting for the soil, and the aggressors, though the more powerful, were so near-sighted for centuries together as to neglect reiterated and the most favourable opportunities for ingrafting amongst the people the vigorous and enduring customs which were the essential foundations of their own ascendancy. This anomaly will not appear the less remarkable if we bear in mind that the descent upon Ireland was the extension and completement of the Norman invasion



of England, and that in England, as Sir John Davies acutely notes, William did not give away whole shires and counties to his followers, nor deny to any Englishman who submitted the benefit of the laws by which he himself obtained a peaceable possession of the kingdom in a few years.

The land question, then, from the very first entrance of the English into Ireland constituted a grievance second to no other in point of exasperating severity. It was intimately mixed up and purposely confounded with that fatal policy of misgovernment, the division of the people into two nations, each ruled by a code of law that differed in its leading principles and practices from the other. For however ostentatiously the laws of England may have been promulgated in Ireland by Henry II. and his successors, the enjoyment of those laws was strictly limited to Englishmen. There were it is true some few exceptions to this general rule, as in the cases already referred to of the five families, the Macmurroughs of Leinster, the O'Briens of Thomond, the O'Connors of Connaught, the Macloughlins of Meath, and the O'Neills of Ulster, as also in the cases of such other Irishmen as sued out separate acts of denization. But the Irish people at large were held to have no rights whatever in the courts of English law. Within those precincts they were not permitted to claim security for life, lands, or goods, and were treated not as aliens only but as enemies. All this is conclusively established by extant records without number, and the concurrent evidence of all writers of authority. And this was the state of the law, as Sir John Davies proves, from the reign of Henry II. to the reign of James I.

It is easy to perceive while reading the abstracts of the cases* quoted in the Discovery, how impossible it was age

* The case at page 123, vol. i. though not from Davies, belongs to a class from which he quotes several, and shows that the English Courts neither protected the life, nor revenged the death of an Irishman—and the case of Thomas de Botteler against Robert de Almain is adduced by Davies as a proof that it was a good answer to an action for goods had and held, to plead that the plaintiff was an Irishman.

after age that order or security or content could have p
vailed in the country, notwithstanding all the treaties, co
pacts and submissions made by successive kings, chieftai
and subjects. For whatever may appear to have been t
spirit and intention of the treaties entered into, and whate
the understanding of the parties submitting themselves to t
Crown. the practical consequences for all the essent
business of life remained unchanged. The English judg
putting their own interpretation upon the law, maintained th
no Irishman could recover in an action for goods sold and d
livered to an Englishman. and that even when an Englishm
killed an Irishman. felony was not committed. In such
barbarous state of things the idea of referring any question
disputed possession to legal decision would have been absu
The Englishman would derive a title from his own court whi
would put a suitable construction upon the grants made to t
invaders by the invading sovereigns. while the dispossessed n
tive would fly for different satisfaction to the judgments of t
Brehon law, which still vested the soil in the kings, Tanis
and subjects of the country. While this double jurisdicti
existed the actual possession of the land as a matter of cour
remained in those who could exhibit superior cunning or sup
rior force. This era embraced a term of 400 years, of whi
it is almost unnecessary to observe that if we reflect, howev
briefly, upon the infamous doctrines that were solemnly pr
pounded during all that interval of time as the inflexible ru
of English laws, by the appointed judges of the land, we sh
be at no loss to account for the incessant disruptions of t
community, and cease to wonder that despair of justice shou
have so often driven the Irishman to demonstrate the enc
mities of the constitution by really making himself the rel
it uniformly proclaimed him.

The barbarity of the English law had somewhat begun
soften, and a few of the broader and more revolting lines
demarcation between the two races had become partial
obliterated when a new arm of legal oppression was advane

under the name of forfeitures or confiscations. The statute book from an early period of Irish history is overloaded with these monstrous enactments. There are instances in which the whole business of a session appears to have consisted in passing a single attainder, and a single statute frequently extinguished every title to property throughout a whole principality. When the number and quick succession of these terrible enactments are looked to, when the sweeping nature of the provisions contained in them, and the extent of territory and the host of persons affected by them are considered; when also the late period down to which they continued to pass, is borne in mind, the total and continual insecurity of property and the concomitant neglect and mismanagement of land in Ireland as direct and unavoidable consequences of the laws made in the country, will appear to have constituted a plain but imperious necessity.

In the year 1537 we find the Act 28 Henry VIII. c. 1, which prays the Commons that forasmuch as Gerald Fitzgerald, late Earl of Kildare, amongst manifold enormities and abuses confederated with one James, late Earl of Desmond, an openly proclaimed and published traitor, for sending to the French King, then His Grace's enemy, and at open war with him, to send into the land of Ireland an army for the taking of the same out of our said sovereign lord's possession, and notwithstanding that his said traitorous intent would not take effect by reason of a peace;—and being of this and divers other offences remitted and pardoned, afterwards sojourning at Newington in the county of Middlesex, willed and commanded his daughter Elice Fitzgerald to will all his brethren, O'Neyel, O'Conner and all other friends and servants to stir and rear war against our said sovereign's deputy, until they were by force repressed;—and notwithstanding his grace of pity and mercy remitted the said Earl these traitorous conspiracies, the same Earl the 23rd year of our said Sovereign Lord not only permitted O'Neyle, the King's Irish enemy, to invade

and destroy the County of Uriel without any resistance made by himself being the King's deputy, having the governance and charge of the same, but having his brother Sir John in company with the said O'Neyle—and so forth, relating the course of insurrections and anarchy by which this pattern of the peerless Independent Lord Lieutenant of the ancient regime, made his government terrible—the Act proceeds to establish and ordain that the said Gerald Earl of Kildare late deceased, his son and heir Thomas Fitzgerald, Sir John Fitzgerald, and Oliver Fitzgerald uncles to the said Thomas, James Delahyde son and heir of Sir Walter Delahyde of Moyclare, Knight, John Delahyde, Edward Delahyde Parson of Killerry, sons of the said Sir Walter, John Burnel of Balmaden, Esq., Sir Richard Walsh Parson of Loughsewdie, Chale Mac Gravil, otherwise Charles Reynold, clerk, late Archbishop of Kells, James Gernon son and heir of Patrick Gernon of Gernonstown, Christopher Parese son and heir to William Parese of Agher, Piers Walsh son to Walter Walsh, Robert Walsh and Maurice Walsh son to William Walsh, late of Tiecroghan, and Edward Rowks yeoman, be adjudged and attainted traitors, and forfeit for ever all honours, castles, land, &c.

In the same year passed the Act headed "Delahyde's Lands in Carbrie,"—which sets forth that after the death of Sir Walter Delahyde, the king is rightfully entitled to all the lands of the said Sir Walter, by reason of that wilful and disloyal traitor, James Delahyde, son and heir of Sir Walter, was one, and the chief counsellor of Thomas Fitzgerald," and it is thought" that the said Thomas Fitzgerald and James were partly ruled and counselled by the said Sir Walter and Janet Eustace his wife, &c.,—therefore enacts that all the said lands and tenements in Carbrie shall vest in the king, &c.

The session of 1556 is memorable for the Act, 2 & 3 Philip and Mary, "for the disposition of Leix and Offalie," and the Act "whereby the king and queen's majesties, and the heirs and successors of the queen be entitled to the countries

of Leix, Slewmarge, Irvy, Glenmaliry, and Offalie, and for making the same countries Shire grounds."

By the first of these statutes it is proclaimed, "that the countries of Leix, Slewmarge, Offalie, Irrie, and Glynmalire, were of late wholly possessed by the Moores, the Connors, the Dempsyes, and other rebels; and now by the industrious travaile of the Earl of Sussex be brought again to be in the possession of their majesties, and so remain; and forasmuch as the well disposing of the aforesaid countries, and planting of good men there, shall not only be a great strength to those quarters, but also a wonderful assurance of quiet to all the rest of the English countries and a great terror to all the Irish countries bordering on the same: it is enacted, that the aforesaid Earl of Sussex shall have full power during the time he shall be Lord deputy, to give and grant to all her Majesty's subjects, English or Irish, at his election and pleasure, such estates in fee simple, per tail, and such leases for years or lives of the whole as shall to his wisdom and discretion seem meet and convenient."

It was thus that the Queen's County and the King's County were "settled."

In the session of 1569, 11 Elizabeth, sess. 3, c. 1, came the Act for the attainder of Shane Oneile, and the extinguishment of the name of Oneile and the entitling of the queen's majestie her heirs and successors, to the country of Tyrone, and to other countries and territories in Ulster. This as a specimen of legislative grandiloquence is a curiosity. The exordium is a master-piece in its way. The strain of plausible satisfaction and praise by which we are led on smoothly and piously to the confiscation of "the fifth part of this realm of Ireland," furnishes in point of conception and execution a piece of crafty legislative composition, which it may be possible to equal but hardly to surpass. "When we consider," says this singular law, "our most entirely beloved and no less dread sovereign ladye and princess, the loving mind and daily charges, which you incessantly spare not to employ both for the advancement of this your realm of Ireland, and the surety and

[illegible] of us your [illegible] and obedient subjects, we cannot [illegible] right [illegible] we would be noted to the world for ingrate a unnatural people to your royal person, being our supre head and defender, but study, devise, and invent all the b ways and means we can possibly, both to increase your kin estate over us, and also help to maintain the same with [illegible] number of our bodies and consumption of our goods,"—and remembering how the glory of kings does not only consist in hi breed of noble progeny, and abundance of private riches a substance, with which her majesty is in every way plentifu adorned: but in populous, rich, and well governed regio wealthy subjects and beautiful cities and towns, with whi the imperial crown of England had before this time be conveniently furnished within this realm of Ireland, un through the iniquity of times past, such as yet remain we impaired, and the rest utterly lost: but now thanks be Almighty God the one well amended, and the seals, signs, a places of the other recontinued to the quiet possession of yo majesty, as well by the death and final destruction of th caitiff and miserable rebel Shane O'Neile, as also by the god and careful trade of government used by Sir Henry Sidney the said rebel to the perpetual damage and infamy of his nar and lineage refusing the name of subject, and by high a perilous practices, enterprised great stirrs, insurrections, a horrible treasons, &c. &c. The traitorous attempt of Sha O'Neile is next set forth, and the subsequent intricate histo of the proceedings relating to Con O'Neil and Mathew Bar of Dungannon, whose murder and the subsequent risings in t North are related. We are then turned backwards up to the r motest fountains of bardic antiquity, whence the statute writ deduces for her majesty three titles to the realm, anterior those of O'Neile, the first of which deals with Biscan and Bayo and kings Gurmonde and Belan, whence descending slow through Henry II. and the Burghs we are reconducted to cote porary events, and find the name of O'Neile and the ceremoni of his creation extinguished, and the rule and authority O'Neile and the lords and captains of Ulster severed, exempt

and cut off, and all the lands, &c.: and the sept which possesseth the country of Claneboy O'Cahan, Mac Gioglin, the inhabitants of the Glynnes, sometimes the Baron Missets-lands, and of late usurped by the Scots, whereof James Mac Conyll did call himself lord and conqueror, Mac Gynnes, O'Hanlon, Hugh Mac Neillmore, the four septs of the Mac Mahouns, Mac Kyvan and Mac Can, and all the honours, castles, lands and tenements to them or to their kindred and adherents belonging invested with the real and actual presence of her Majesty.

1569. The Act 11 Elisabeth, sess. 3, intitled The Queen's Majesty to Thomas, Knight of the Valley's Lands in Munster. —The preamble recites that Thomas Fitzgerald, Knight of Valey, otherwise Knight of Glaune in the county of Limerick, and Thomas his son and heir had committed sundry wilful murders, burnings, waste, and warlike destructions upon divers the Queen's people, for which offences Thomas the son was executed, and Thomas the father found guilty, but his execution stayed "in respect of a certain scruple or doubt conceived of the statute which maketh burning to be treason in this realm": nevertheless forasmuch as it is manifestly known in how willful and unlawful sort the said Thomas, Knight of the Valley, hath led his life from his youth to this his decrepid age, and how necessary it is that some ensample by his punishing be shewn to the great men of forces in that country; all the lands, castles, hereditaments, &c. of Thomas the father and Thomas the son are vested in the Queen.

In the same year a short session was held, and an Act passed reciting the Act of Attainder, 28 Henry VIII. c. 1, and restoring to their blood the sons and daughters of the Earl thereby attainted, but not making void or frustrating gifts, or grants, or leases of lands made by the crown consequent upon the attainder.

1570. In the Act 12 Elisabeth c. 5, for the Attainder of such as be or shall be indicted of High Treason or Petty Treason, committed or to be committed from April 1, 1569,

at April 30. 1571. if they shall not yield their bodies, &c. we have another of those curious pieces of high-flown composition which the law makers of that period appear to have taken especial delight in framing. The Act sets out with a stately description of "her Highness' right godly intendment to transform this monstrously disordered state to the perfite shape of a happy commonweale, and for that in these her happy days a reformation many ways before this time attempted, and never atchieved, hath by her Highness and her godly minister by law and justice, the way warranted by the mouth of God, devised, and in the comfort of all faithful hearts established, but the wicked, better acquainted with darkness than light, have chosen to wallow in their own filth and puddle of tyranny, oppression, rape, ravin, and spoil, for as it is manifest and well known the vile and ingrate traitors Mac Cartiemore, lately created Earl of Carbarie; Sir Edward Butler, Knight; Edward Butler and Piers Butler, his brethren; Piers and James Butler, sons to the Viscount Mountgarret; James and John Butler, sons to Piers Butler of the Grallagh; Walter Butler, Tebbot Butler, Piers Butler, John Butler, sons to Edmond Butler, of Pollestone; James Fitz Gerald, son to Sir Morishe Fitz Desmond, the Seneschal of Mokilly; the White Knight, with divers other wicked traitors, against whose wicked and tyrannous course of life the lamentable cry of many widows, innocent orphans and poor oppressed people resound before the throne of God for vengeance, have conspired together most wretchedly to levy sharp and cruel war against your Majesty, your true and faithful servants and the English pale, and for the better accomplishment of their devilish and wicked purpose practised with the king of Spain and the Scots our antient enemies, and combined with the traitor Tyrelaughe Leynaghe and all the Ireshry of Ulster, except Sir Hugh O'Donnell; and after a long recital of several predatory acts declared to have been committed by several of the persons named, it is enacted, that every person who shall be indicted of high or petty treason within the terms previously named, shall upon

proclamation being made of the indictment, appear at the Castle of Dublin within forty days, and there yield his body to the constable, and shall not be discharged but by order of law, otherwise he shall be attainted of the treason of which he has been indicted, as effectually and sufficiently as if he had been found guilty of the same by the verdict of twelve men; and all honours, lands, goods, &c. of such persons are seized and united to the imperial crown.

1570. There was a second session of Parliament held in this year for the sole purpose of passing an Act for the Attainder of Thomas Queverford, late of Ballymaka.

1571. The act 13 Elizabeth, c. 3, for the attainder of John Fitzgerald, called in his life-time the White Knight, otherwise called John Oge Fitzjohn, Knight Fitzgibbons, recites that whereas the just judgment of God hath cut off from the body of this her Majesty's commonwealth, that unnatural, unkind, and corrupt member, John, &c., and enacts that he shall be attainted and forfeit and lose to her Majesty all his lands, goods, &c., &c., and that the same shall be vested in the queen, without any office or inquisition.

1585. The act 27 Elizabeth, c. 1, is for the attainder of James Eustace, late Viscount Ballinglas, and recites that he, Edmund Eustace, Thomas Eustace, Walter Eustace, and Richard Eustace, his brothers, have done many detestable and abominable treasons, and some of them have been outlawed, and others have been duly convicted and suffered the pains of death, according to their demerits;—it is enacted, that their lands, honours, castles, &c., shall be vested in the queen without inquisition. Power is then given to her Majesty to grant leases thereof, and also of the lands and rents of all other persons who have committed the like treason or been slain in rebellion, or executed by martial law.

A general clause follows, vesting the lands of all future traitors in the Crown.

1586 produced the memorable act 28 Elizabeth, c. 7, for the attainder of the late Earl of Desmond, and others mentioned in the act. It set out by declaring that Gerrot Fitz-Gerrold, late Earl of Desmond, Sir John Fitz Gerrold,

Knight, alias Sir John of Desmond, Knight, Sir James Fitz Gerrot, Knight, alias James ne Dymoll, alias Sir James of Desmond, Knight; James Fitz Morice, of Desmond, alias James Fitz Morice, gent.; James Fitz John Fitz John, of Desmond, of the Currens, in the county of Kerry; Thomas Fitz John Fitz John, of Desmond, of the Currens aforesaid; Teige Mac Dermot Mac Cormack Mac Cartie, of Mollaffe, same county, gent.; Rory O'Donogh, alias O'Donogh More, of Ranelagh, in Desmond; Nicholas Mac Shane Peers, alias Mac Shane, of Cannary, gent.; Thomas Browne, of the town of Carrigcastle, gent.; Finin Mac Cormock, of the sept of Clandermot, in Desmond; Thomas Fitzdavid Gerrold, of Ardengrale, gent.; Richard Fitz Thomas, gent., alias Mac Thomas, of the Palace, in the County of Limerick, David Fitz Gerrold, of the Great Wood, gent., alias David Encorige, same county, gent.; Murrogh O'Brien, of Aherlogh, same county, gent.; Hugh Wale, gent., alias Faltagh O'Don Moyen, same county, gent.; Nicholas Fitz Williams, of Courtmatrassie, same county, gent.; Thomas Cam, gent., alias Thomas Mac Shane, of Balletabred, alias Gortenetibord, same county, gent., and Lord of Clevlish; Thomas Mac Gybbon, of Mahawnagh, same county, gent.; John Supple, of Kilmako, same county; Cormock Downe Mac Cartie, of Glanerime, in the county of Cork, gent.; Conocor O'Mahoyne, of Kivelmeake, same county, gent.; Morrice Fitz Garrot, of the Shean, same county, gent.; James Fitz Maurice, of the Shean aforesaid, same county, gent.; Donnel Mac Connor O'Mahowne, of Rosebyne, same county, gent.; James Mac Shane Mac Gerrot, gent., alias James Fitz John Fitz Gerrot, of Strenecally, in the county of Waterford, gent; Morrice Mac Gerrot Mac An Earle, of Shian, same county, gent.; Richard Fitz John Fitz Maurice, of Knockmean, same county, gent.; Morice Fitz John, of Knockmean, aforesaid, gent.; Gerrot Brack, of Melcosse, same county, gent.; Brian O'Brian ne Carrege, of Kilcomerie, alias Comeragh, same county, gent.; Morrogh O'Brian, of Dongrotte, county of Tipperary, gent.; Walter Fitz John Bourke, of Knockneden, alias of the Cappagh, in Muskery Curke, same county, gent.; John Fitz Walter Bourke, of Ballingurtin, same

county, gent.; Geffry Burke, of Killenkaskie, same county; Thomas Fitz John Bourk, of Cowley, same county, gent.; John Mac William Mac Tibbot Bourk, of Clanwilliam, Coshway, in the same county, gent., have since, by open rebellion, and others by sundry confederacies, and other overt acts, have committed many abominable treasons—and then proceeds to enact that they shall by the authority of this act be convicted and attainted of high treason, and that as many of them as be yet in life and not pardoned, shall at the queen's will and pleasure suffer the pains of death, as in cases of high treason.

The usual clause follows, vesting the lands of these persons in the queen without inquisition—and all attainders previously declared against them, whether by outlawry or the verdict of a jury, are by this act approved and confirmed, and every gift, grant, or lease already made by the queen, of any portions of their lands, castles, or honours, are declared as good and effectual as if they had been made after the passing of the act.

The Act 28 Eliz. c. 8, was simultaneously passed attainting John Browne of Knockmonhie county Limerick, gent.; John Bradagh Casy of Kilderry, same county, gent.; Morogh O'Brian of Aherlo, same county, gent.; Mahon Mac Moragh O'Brian of Kiluehume, same county, gent.; Thomas Browne of Kilkellan, same county, gent.; David Mac Gibbon, gent., alias David Mac Shane, alias David Engroig, late of Kilmore, same county, gent.; James Wall and Stephen Wall, of Cloinstrotchan, same county, gent.; Pierce Wall, alias Peter Wall of Balleigny, same county, gent.; Redmond Wall of Adare, same county, gent.; Robert Oge, Cusshane of Lisnecorie, same county, gent.; Gerald Fitz Thomas of Kilfinny, same county, gent.; Walter Leo, alias Leogh of Donkeyre, same county, gent.; Owen Mac Edmond Mac Sheby of Ballynoe in the same county, gent.; John Loudon of Kilcosgraw in the same county, gent.; Donogh Moyle Mac William of Dromlare, same county, gent.; Edmond Oge Lacy of Ballyneglochye, same county, gent.; Gerald Duffe of Rathphrille, same county, gent.; James Fitz David Oge Crone of Rathprile aforesaid, same county, gent.; Patrick Wolfe of

Ballyhan same county, gent.; Gerald Fitz Edmond of Glanmaghsy in Clangibbon, same county, gent.; Brian Roe of Cahirduffe same county, gent.; Cormocke Oge Hallyman of Ballycroe, same county, gent.; James Reogh Lacy of Lisnakerry, same county, gent.; Gerrard Balliffe of Ballinfriche same county, gent.; Thomas Wall of Boherbradagh, same county, gent.; Moriarto Meriagh of Kilduffe in the same county, gent.; Morvegh Mac Brian of the Grange, same county, gent.; Thomas Hurly of Ballynathie, same county, gent.; William Mac Phillipe of Ballyany, same county, gent.; Ullicke Backagh Mac Thomas of Clashonye, same county, gent.; Ullicke Fitz Thomas Burk of Lymoland, same county, gent.; Owen Mac Brien Mac Rory of Karwhydore, alias Garryduffe, same county, gent.; John Ocahysy of Kilderry, same county, gent.; Morogh Mac Teige O'Brien of Killury, same county, gent.; Morice Fitz John Gerrold of Kilnenagh, county of Kerry, gent.; Conohor Odaly of Kilterehan, same county, gent.; John Oge Fitz John Fitz Morice of Killenoragh same county, gent.; Morice Mac Shane Heysey, alias Heysey of Glangartenkarrene, same county, gent.; John Mac Edmond Mac Ullicke of Ballenata, same county, gent.; James Hussy of Dinglecushe, same county, gent.; James Russell, same county, merchant; Domenick Roe Fitz Morice, same county, merchant; Thomas Fitzwilliam Boy, same county, gent.; David Duffe of Kilkusney, same county, gent.; Teige O'Loigh Dermod Beare, same county, gent.; John Fitz James Fitz Edmond of Tymackmaw, same county, gent.; John Fitz Redmond of Ballycoynan, county of Cork, gent.; Piers Coudon of Manoge in Coudon's Country, same county, gent.; Morice Mac Edmond of Rathegorffe, county Corke, gent.; James Fitz John of Polloghkyry, same county, gent.; John Macgarret Mac Shane of the Great Woods, same county, gent.; Richard Fitz Piers Coudon ny Caliareagh of Cahirdrourny, same county, gent.; Richard Riogle Barret of Burdenstown, same county, gent.; Mahown Mac Morragh of Kildeheny, same county, gent.; John Omollownow, alias Shane Omolan of Temple Jogan, same county, gent.; John



Piggot of Dyrrenywrange, alias Dyrrewylane, same county, gent.; Phillipe Roche Fitz Edmond, alias Mac Vildon, alias Villon of Carrichymlere, same county, gent.; Thomas Oge Mac Thomas Fitz Gerald of Kilmocke, same county, gent.; William Encorrigge of Kerrylarry, same county, gent.; Thomas Niskartie of Killane, same county, gent.; John Moyle of Ballygoran, same county, gent.; David Fitz Edmond Roche of Killoughtermoy, same county, gent.; Morice Fitz John of Knockmore, same county, gent.; Morice Fitz William Fitz David of Ballynatra, same county, gent.; Garrat Fitz James son to James Fitz John of Stroncally, county Waterford, gent.; John Fitz James, gent., brother to the same Garret; Morice Fitz John of Knockmohan, same county, gent.; Thomas Fitz John Fitz Morice of Knockemohan aforesaid, gent.; Henry Fitz Garret, same county, gent., brother to Viscount Decies; Edmond Roche Poer of Kilnecarrigge, same county, gent.; Edmond Fitz Theobald, alias Rabbin of Ballebegge, same county, gent.; John Fitz Tybald of Ballibegge aforesaid, gent., brother to said Edmond Fitz Theobald; William Duff Fitz James Roche of Ballymodagh, same county, gent.; Edmond Fitz John of Croshe, same county, gent.; Rorie Fitz Thomas, same county, gent., brother to Thomas Oge; James Leigh Roch of Fortenelentehy, same county, gent.; Mauritius Fitz John of Kilmallow, same county, gent.; John Oge Mac Thomas of Clony, same county, gent.; John Fitz Maurice of Tynnekelly, same county, gent.; James Fitz Morice Fitz Garret of Ballymowtie, same county, gent.; John Roe Fitz Edmond of Casclereogh, same county, gent.; Morice Fitz John Bourke of Balligwiry, same county, gent.; James Fitzmaurice of Sheban, same county, gent.; William O'Maugher Mac Dermot, same county, gent.; Peter Grace of Ballynecurre, county Tipperary, gent., alias Pierce Grace of Ballynecurre aforesaid, gent.; Mellaghlen Roe O'Carran of Ballynolan, same county, gent.; Edmond Hedan of Ballymore, same county, gent.; John Bourk, alias Rich Mac John Bourke of Ballymore aforesaid, gent.; William Fitz Edmond Bourke

of Killualagher, same county, gent.; John Fitz Walter Bourke of Drourgan, same county, gent.; Conogher Yckoem Mac Brien Ogonagh, gent.; Morertogh Mac Brien of Tireboy, gent.; Morogh Mac Brian of Tireboy aforesaid, gent.; Teige O'Nubrian of Bealrughim in Onhy, gent.; Kenedy Mac Brien of the country of Ogonagh, gent.; Conochor Mac Conghor Mac Brien of the same country of Ogonagh, gent.; Teige Roe of the sept of Clandonell Roe of Bantry, gent.; Teige Roe Mac Tyning Mac Dermond, same sept, gent.; Conogher Mac Dowell Mac Rory of the same sept, gent.

All these persons—all who had assisted them and died in rebellion or had been executed by martial law were by this act convicted and attainted of treason—and their lands forfeited. The confirmation contained in the preceding act of previous attainders, and also of preceding grants or leases of the forfeited lands is here repeated, and so end the confiscations of the reign of Elizabeth.

1612 was the year of the confiscation of Ulster by the Act 11, 12, and 13 James I. c. 4, for the Attainder of Hugh late Earl of Tyrone, Rory, late Earl of Tyrconnell, Sir Cahir O'Dogherty, and others. The persons whose property was now seized, were in addition to the two Earls and the Baronet mentioned in the title of this Act, Hugh O'Neyle, late Baron of Dungannon, eldest son of the Earl of Tyrone; Henry O'Neyle his second son, Sir Hugh Maguyre, knight, and Connaught Maguyre, late of Inniskilling, county of Fermanagh; Sir John O'Reilly, of Cavan, Knight; Phillip and Edmund O'Reilly, late of the same, esquires; Oghy Oge, O'Hanlon, eldest son of Sir Oghy O'Hanlon, late of Tevegoy in the county of Armagh; Casser O'Donnell, brother to the Earl of Tyrconnell, late of Casserscovee in the county of Donegal; Caffer Oge O'Donnell, late of Starfolis, same county, esq.; Donnel Oge O'Donnell, late of Donegal, esq.; Brian Oge Mac Mahown, alias Brian ne Sarvagh Mac Mahown, late of Clonleege, in the Uppertrough, county of Monaghan, gent.; Art Oge Mac Cormack O'Neyle, late of

Clogher, in Tyrone, esq.; Henry Hovendon, late of Dungannon, Tyrone, gent.; Mortogh O'Quyn, late of the same, gent.; Richard Weston, late of Dundalk, merchant; John Bath, late of Dunalong, merchant; Christopher Plunket, late of Dungannon, gent.; John O'Pauty O'Hagan, late of the same, gent.; John Rath, late of Drogheda, merchant; Hugh Mac Donnell, O'Galloebor, late of Donegal, gent.; Terrelagh Garragh O'Galloebor, late of the same, gent.; Phelim Reagh MacDavid, late of Eloagh, Donegal, gent.; John Crone Mac David, late of the same, gent.; Edmund Grome MacDavid, late of the same, gent.; Matthew Oge O'Maltully, late of Donegal, same county, gent.; Donogh Mac Mabourne O'Brian, late of Rathmulin, Donegal, gent.; Teige O'Kennan, late of the same, gent.; Henry O'Hagan, late of Dungannon, gent.; Teige O'Hagan, late of the same, gent.; and Tiege Modder O'Quin, late of the same, gent.

In 1634, the extent to which the confiscation of land had been carried in the reign of Mary, Elizabeth, and James I., was distinctly marked by the Act 10 Charles I. sess. 3, c. 3, which passed for securing the estates of undertakers, servitors, and natives in the Plantations made in the several counties of Waterford, Cork, Limerick, Kerry, Tipperary, Wexford, Wicklow, King's County, Queen's County, Westmeath, Leitrim, Longford, Tyrone, Armagh, Donegal, Fermanagh, Cavan, and Londonderry. The details have already been sufficiently dwelt upon.

But, however this statute may have been designed to settle the existing tenures and compose the troubles of the country, fresh events sprung rapidly up, and the course of a few years again transferred all the possessions of the country. During the interval referred to the English Parliament legislated largely upon the subject, and greatly increased the prevailing confusion.

In the year 1652 there passed an Act subjecting the Irish upon religious grounds to a graduated scale of forfeitures of the whole, or two-thirds or one-third of their lands. Parliamentary Commissioners were appointed to carry this Act

into execution, and the severity of their powers may be judged of by the fact that those were regarded as favoured persons who had their lands taken away and a portion to the same extent assigned in some other part of the country.

In 1653 the English Parliament passed another act for the distribution of lands in Ireland, by which ten counties, namely, Limerick, Tipperary, Waterford, King's County, Queen's County, West Meath, East Meath, Down, Antrim, and Armagh, were appropriated, [so much of each as was forfeited] one half for the satisfaction of the adventurers who had advanced money for the conquest of Ireland, and the other half for discharging the arrears of the army, which had accrued since the 5th of June, 1649. The forfeited lands in the counties of Dublin, Cork, Kildare, and Carlow, were reserved for the disposal of Parliament. What remained in the provinces of Munster, Leinster, and Ulster, were appropriated, first to cover any deficiency that might occur in the disposal of the ten first named countries; secondly, to discharge the arrears to the army; and thirdly, for the satisfaction of debts of whatever kind, that should appear to be due from the public. This was the Act that appointed the province of Connaught, and the lands west of the Shannon, as the future residence of Roman Catholics.

The general results of the Cromwellian confiscations and displacements have been summed by Mr. Bichenoup, who takes as his authority the accounts published by the Cromwellian proprietors themselves, of which there is no reason to doubt the accuracy. In them the surface of Ireland was estimated at 10,400,000 Irish acres, of which 3,000,000 were counted unprofitable land, consisting of wood, mountain, bog, &c. Of the remaining 7,400,000, 2,400,000 were computed to be in the hands of Protestant proprietors previous to the war of the confederation in 1641. At this period the Catholic property in land was estimated to be 5,000,000 of acres.

In 1653, when the Cromwellian war, according to the proclamation issued on this occasion, had ceased, they state that

these 5,000,000 of acres had been disposed of by the Cromwellian government as follows:—Restored to Catholic proprietors, 100,000 acres; to Catholic proprietors who proved innocency before Cromwell's Commissioners of Loughrea, and at Athlone, and were decreed restitution or compensation in the province of Connaught, and the county of Clare, about 700,000 acres.

To the officers and soldiers who served in Ireland before the arrival of Cromwell in 1649, in Wicklow, Longford, Leitrim, Donegal, and between the sea and the Shannon, 400,000 acres.

To the adventurers who advanced money under the Acts 17th and 18th of Charles the First, to carry on the war in Ireland, about 800,000 acres.

To several individuals, favourites of Cromwell, &c., about 100,000 acres.

Retained in the hands of government for its own use, but let to British Protestants upon profitable leases, in the counties of Dublin, Louth, Cavan, and Kildare, about 800,000 acres, besides a considerable number of houses in the cities and walled towns.

It would appear from this account, that 800,000 acres only were left in the hands of the old Irish. The residue, 9,600,000 acres, was divided among the new proprietors, of which 2,500,000 were seized from *former settlers*. This was little less than a virtual resumption of the whole country.

The three Acts passed after the restoration of Charles II. for the execution of the declaration of Breda, for enlarging the period of time first appointed for that purpose, for explaining doubts that had arisen in carrying the measure into execution, are so many records of a series of corrupt and vexatious proceedings which continued to convulse the kingdom during the interval referred to.

The confiscations begun by Cromwell, and adopted by Charles II., received fresh additions in the reign of William III. These are briefly noticed in Wakefield's Ireland, Vol. I. p. 340.

"In the reign of King William, forfeitures were made of the lands belonging to the adherents of James, amounting in several counties to 1,060,792 acres, which being worth £211,623 a year, at six years' purchase for a life, and at thirteen years for an inheritance, amounted to £2,685,130. Out of these lands the estates restored to the old proprietors by the articles of Limerick and Galway were valued at £724,923, and those restored by royal favour at £260,863. After these deductions and several other allowances, the gross value of the estates forfeited from 13th February, 1688, amounted to £1,699,343.*

With the reign of William and Mary ended the direct violence of the confiscations which were so cruelly begun in the reign of Henry VIII. But the indirect disturbing influence of those laws continued to be felt for many years afterwards, principally in consequence of the barbarous penal code of Queen Anne, which bore with immense force upon the possession of land, and the relations of landlord and tenant, down to the very period in which we live—certainly to 1829. If it had not been for that cruel persecution, and the continual efforts made to enforce its conditions sharply, the titles to the possession of an estate would have remained fixed and undisturbed, and peace and fortune might have entered and established themselves permanently under the wings of legal security. But when the profession of the Protestant faith was made an absolute condition in the possession of an estate, and a change from it operated as a forfeiture of the estate, the courts of law and equity became constant theatres of confiscations in detail which had ceased to be practised in the

* On this occasion seventy-six grants passed the Great Seal; the principal of which were, Lord Romney three grants, 49,517 acres; Earl of Albemarle two grants, 108,603 acres; William Bentinck Lord Woodstock, 135,820 acres; Earl of Athlone 26,480 acres; Earl of Galway 36,148 acres; Earl of Rochfort two grants, 30,512 acres; Lord Coningsby 59,667 acres; Colonel Gustavus Hamilton, for his services in wading through the Shannon and storming Athlone at the head of the English Grenadiers, 5,966 acres; and Sir Thomas Pendergast for the most valuable consideration of the discovery of the Assassination Plot, 7082 acres." —*Ibid.*

Houses of Parliament on the large scale already described. During all this time the political system of the Government was built upon the principle of these dispossessions. Every minister who took office made it the rule of his public actions and the test of his political pretensions. And as the possessors of property acted upon the same considerations, we have to point to that false principle as the parent and producer of the peculiar grievances of the country, and all the complicated vexations that have ever since harassed the relations between landlord and tenant.*

To the landlords of Ireland, all men naturally attribute the condition of that country. For the landlords have not only possessed the land, but also the power to make the laws which regulate its use and occupation. According to every period or authority to which we can refer, the general body has evinced one consistent, and that the least commendable, mode of acting towards their dependents. Authors and politicians of all classes and parties give the same account of the conduct of the landlords and the condition of their tenants. Swift,

* Roman Catholics it will be remembered were not allowed to take land on lease before the year 1778. But the practical tendency of the law for many years afterwards to create injury and discontent, and to embarrass by additional intricacies the relations of landlord and tenant, is exposed by Wakefield, Vol. I. 253.

Happening to dine with Dr. Moylan the Catholic Bishop (of Cork), he related to me the following circumstance in regard to some townlands belonging to the Duke of Devonshire:—These lands were occupied by 200 families, and on the expiration of their leases, the Duke's agents, wishing to substitute Protestants in the room of Catholics, refused to renew them. The occupiers finding that they were likely to be deprived of their possessions, drew up a memorial of the case which Dr. Moylan presented to the Right Honourable Henry Elliot, who transmitted it to General Walpole. But what was the result? It was returned to the very agent whose conduct was censured; and this gentleman, a zealous friend no doubt to the established church, disregarding the claims of the Catholics, introduced Protestants in their stead. But interest, which often assumes the appearances of liberality, and in many cases impels men to do what they otherwise would not, induced the new tenants to enter into a treaty with the old ones, and the latter obtained leases of their former lands at a small rack rent; but with this difference in their situation, that they were now sub-tenants under persons who were middlemen.

Howard's Reports, Dublin 1775, is evidence of the number of these anti-catholic lawsuits, and the importance attached to them.

Arthur Young, Hardy in his Life of Lord Charlemont, Wakefield, and many others, told years ago the miserable story which Kohl and Von Raumer have so touchingly repeated in our time. Extracts from these writers have been too frequently quoted to be reproduced here; but the following from one of Horace Walpole's letters to Sir H. Mann is not hackneyed.

"If you want any more news you must have it from Ireland, where there is a pretty substantial insurrection of 4000 men calling themselves Hearts of Steel. Whatever their hearts are, their heads are of gunpowder. Poor souls, they have had thorough provocation; reduced to starve, to be shot, or to be hanged. They are tenants of Lord Donegal, driven off their lands because they could not pay hard fines for renewing their leases; 1600 horse and infantry are marched against them. We had better have wasted an hundred hours in redressing these misfortunes than in framing acts against marriage."

In the year 1764 Mr. Serjeant Fitzgibbon described the humiliating desolation of his country to the House of Commons in these affecting terms:

"It is always with regret that I discover the nakedness of my country, but on this occasion I ought not to hide it. Upon this occasion, I must remind you that Ireland is not more than one third peopled; our trade lies under such disadvantages, that two thirds of the population are unemployed, and are consequently condemned to the most deplorable indigence, a state that cannot fail to render them wretched in proportion as the luxury of a few has multiplied artificial wants, but of which they have no further knowledge than just serves to excite envy and discontent. We have neither foreign trade nor home consumption sufficient to distribute the conveniences of life among us with a reasonable equality, nor sufficient to pay any tax proportioned to our number.

"This island is supposed to contain 3,000,000: of these, *two live like the beast of the field upon a root picked out of the earth, almost without hovels for shelter, or clothes for covering.* What must become of a nation in this situation, which at the same time is contracting a debt which must every year increase by a very considerable excess of its expenses, above its income? What method can be found to prevent the ruin of a state in which these evils not only continue but increase.

"What mode of taxation can be devised? Shall we tax leather where no shoes are worn, or tallow where no candles are burned? What tax can be devised on the necessaries of life where they consist *wholly of roots and water?*"

Years afterwards the son of this gentleman became Attorney General and Lord Chancellor of Ireland. While holding the former office he said to the House of Commons—

"I am well acquainted with the province of Munster, and it is impossible for human wretchedness to exceed that of the miserable tenantry of that province. I know that the unhappy tenantry are ground to powder by the relentless landlord. I know that far from being able to give the clergy their tithes, they have not food or raiment for themselves. The landlord grasped the whole, and sorry I am to add, that, not satisfied with the present extortion, some landlords have been so base as to instigate the insurgents to rob the clergy of their tithes, not in order to alleviate the distresses of the tenantry, but that they might add the clergy's share to the cruel rack rents they already paid. The poor people of Munster lived in a more abject state of poverty than human beings could be supposed able to bear,—their miseries were intolerable."

The Irish judges have never ceased to hold as emphatic language or to draw attention to the same thrilling facts.

"What, (exclaimed Judge Fletcher,) what is the wretched peasant to do? Hunted from the spot where he had first drawn his breath—where he had first seen the light of heaven,—incapable of procuring any other means of subsistence—can we be surprised that, being of unenlightened and uneducated habits, he should rush on the perpetration of crimes followed by the punishment of the rope and the gibbet? Nothing remains for them thus harassed, thus destitute, but with a strong hand to deter the stranger from intruding upon their farms, and to extort from the weakness of the landlords—from whose gratitude and good feelings they have failed to win it—a sort of preference for the ancient tenantry."

Later still Baron Foster told the House of Lords:—

"I think that the proximate cause of all the disturbances which have existed in Ireland of late years has been the extreme physical misery of the peasantry, coupled with their being called upon for the payment of different charges (the first and principal of which is rent), which it is often perfectly impossible for them to meet; the immediate cause of disturbance I conceive to be the attempt to enforce these demands by the various processes of law; we are also to take into consideration that they are living under institutions for which they have neither much affection nor respect. I have assigned what I conceive to be the proximate causes of the disturbances: I think the remote one is a radically vicious structure of society which prevails in many parts of Ireland, and which has originated in the events of Irish history, and which may be in a great mea-

some political, but which it would, I fear, be extremely difficult now readily to change."

The present Chief Justice of the Queen's Bench in Ireland, Mr. Hatchinson, was a witness in the same session before both Houses, and his evidence is remarkable.

"Land," said the learned gentleman, "is a necessary of life in Ireland: the alternative of not getting it is starvation; and this circumstance, combined with the extravagant price of all species of agricultural produce, had raised land in the years before the termination of the war to a price beyond anything which could be called its intrinsic value. The substratum of it was also produced by speculations of a political kind, and the consequence was that land stood at a rent which it was impossible for the tenant to pay at any time, reserving the means of decent subsistence.

"The most remarkable recent instance within my own knowledge of great numbers of persons having been ejected from particular properties, has been the evictions of the occupants of a property of Lord Stradbrooke. A lease had been made by Lord Stradbrooke, or his ancestor, for thirty-one years, the lease expired in 1823; the land had been divided to such a degree that I believe there were between forty or fifty families resident upon it—it was between four and five hundred acres, I think. Lord Stradbrooke's agent* upon the expiration of the lease took possession, which the people gave him in point of form, and he let them back upon an understanding that when tenants were provided and a new disposition made of the property, they should give up possession, the object being, upon the part of Lord Stradbrooke, to retain a great number of the old tenants and to enlarge their tenements. I believe contracts were made by his lordship's agents for new lettings, but when possession was demanded upon the part of Lord Stradbrooke it was refused, and Lord Stradbrooke was obliged to bring an ejectment. Lord Stradbrooke's agent—there was no defence to the ejectment—attended by the sheriff and several men to assist him, went upon the lands and dispossessed this numerous body of occupants; they prostrated the houses, leaving the people to carry away the timber. The number of persons thus deprived of their homes on that occasion was very large—I am sure there were above forty families, but I cannot tell the number of individuals. They were persons of all ages and sexes, and in particular a woman almost in the extremity of death." The learned gentleman being asked what became of these persons, answered, "I should think they have been received from charity up and down the country."

* His name was Blood, and he was afterwards murdered.

Pursuing the thread of the evidence given by official persons we are struck by the opinions of Mr. Singleton, Chief Magistrate of Police in the Queen's county, before a committee of the House of Commons in the session of 1832.

"Are the Committee to understand that you consider that the spirit of outrage has not been got under? It has not.

"Can you give any hint to the Committee as to what you consider likely to accomplish that desirable object? I think if the laws were amended in one, two, or three instances, which I will suggest, it would tend to the security of the public peace. There is scarcely an outrage committed relative to lands, but what the people assign a cause for—if I may use that expression: in some instances the unfortunate people do show one.

"What are the Committee to understand by showing a cause? Oppression, high rents, low wages, and contracts being broken. I had two prisoners before me, one of whom was a boy, a few days before I came here. They were apprehended on a warrant to give bail and keep the peace, and they told me a case which, if true, I think is very severe. They told me that their forefathers (that was the expression they made use of) were in possession of a certain plot of land; that they had a lease not expired; that they went up with half a year's rent to the landlord; it would not be taken; when they returned it was spent; by that time the second gale came round and they were not able to pay the rent; and then they were *permitted* to give up the lands on condition not to pay the rent due.

"That is to say they were not called upon to pay the arrear? They were not called upon to pay the rent due on the proviso of surrendering the lands.

"Do you give credence to all the oppressions stated? In many cases I do give credence. I have seen and I know land to be set one-third above its value; and I have seen, at least I have heard and believe, that small cottagers who had land without a lease before the assimilation of the currency, are now called upon to pay the same rent in British currency."

In Ireland then, to condense the emphatic language of Chief Justice Blackburne, "land is life," and we may truly add, following up the simile, that the lord of the land has hitherto been able to dictate to the occupier the conditions upon which it has been held as peremptorily as the knight of old, with his foot upon the throat of a vanquished foe, pronounced the terms upon which his life was spared. This leading fact,

illustrated by the opinions of such men as the Lord Chancel Clare, Judge Fletcher, Baron Foster, and Chief Just Blackburne, makes us almost fancy that we can see the insu rections, agrarian outrages, and murders with which the h tory of the country teems, springing like corporal realiti from the land, and spreading death and horror as they stri over its devoted surface.

The first great agrarian insurrection took place in tl year 1761, when Mr. Serjeant Fitzgibbon spoke of tl peasantry in the terms already quoted.* From that ye to the year 1833, a series of unbroken conspiracies, seekin vent every now and then in tumultuous and sanguinai outbreaks, are painfully recorded by a variety of writer We have histories of the Levellers and Whiteboys 1761, of Right Boys and Oak Boys in 1764, of Steel Boy in 1772, of Right Boys, Peep o'Day Boys, and Defenders i 1785, of Orangemen and United Irishmen in 1798, Thrashers and Carders in 1806, and in each of the yea 1807, 1811, 1817, 1818, 1820, 1821, 1826, 1832, and 183 we have had White Feet, Black Feet, Shanavats, Caravats Rockites, Terry Alts, and Ribbon Men, down to the presen time. It is almost superfluous to add that Insurrection Acts Arms Acts, and Coercion Acts, have never ceased to swell th statute-book during the whole of this melancholy period.

With the exception of Grattan's Bill in the year 1780 t remove doubts in the construction of leases, with covenant for perpetual renewal—a bill opposed by the government an the aristocracy, and only carried by a majority of three in th Commons, and of one in the Lords—the proceedings of th parliament of Ireland embraced no measure for the relief o the prevailing distresses of the country. The tenor of th laws passed since the Union has not mitigated this genera

* "Exorbitant rents, low wages, farms of enormous extent let by thei rapacious and indolent proprietors to monopolising land jobbers, to be re let by intermediate oppressors for five times their value among th wretched starvers upon potatoes and water;—these were undoubtedly th first and original causes of the disturbances, obvious to the slightest in spection, though resolutely denied, and every public investigation int them impudently frustrated by those whose sordid interest opposed thei removal."—*Hardy's Life of Lord Charlemont.*

character. One of the latest authorities brought to bear upon this question was the highest and most positive that could be applied to it. Chief Justice Pennefather delivering judgment in the year 1843, in the case of *Delapp* v. *Leonard*, made use of the following language:—"*The whole code relating to landlord and tenant in this country, was framed with a view to the interests of the landlord, and to enforce the payment of rent by the tenant. The interest of the tenant never entered into the contemplation of the legislature!*"

In the year following, Mr. Serjeant Howley, after detailing to the Land Commissioners the several statutes relating to the occupation of land, from the act 11 Anne to the Civil Bill Ejectment Acts, said:—"These are all beneficial to the landlord, enlarging the remedy he has at common law, and giving him additional powers either to obtain his rent, or in default, to obtain possession of the land. The Civil Bill Ejectment system I consider more advantageous to the landlord than to the tenant. It gives greater facilities and more power to the former."

It would be here proper, in order to present the general subject in its full aspect, to set forth the laws passed, and still in force, relating to landlord and tenant in Ireland, and those also passed for the repression and punishment of offences arising out of the possession of land. But the number of the statutes in both classes forbids the task: a separate volume would be required for each. It must, therefore, suffice to state, that in Ireland the recovery of rent, and wherever that is not paid, repossession of the land, is facilitated by a cheap and rapid process, unknown to the law of England. In the course of a few days, and by the expenditure of a few shillings, the Irish landlord obtains results which in England can only be arrived at after the lapse of many months and the outlay of many pounds. The key to this remarkable difference is to be found in the judgment of Chief Justice Pennefather already cited, and it consists plainly enough in this—that in England the law sees that there are two contracting parties in the letting of land, and it respects them both equally: in Ireland it has hitherto respected only one of them.

There are several works of repute upon the subject of t law of landlord and tenant in Ireland. One of them exten to 700 pages. The writer, therefore, who declines to ent into particulars upon the subject cannot complain of want materials; but the following evidence relating to this coc given by Mr. Serjeant Howley before the recent Land Co mission, suffices amply for general purposes:

"The statute law, as it prevails in Ireland, relative to the occupation land, I think may be divided under three heads; first, the acts whi regard ejectments for non-payment of rent; secondly, the statutes whi are conversant of distress; and thirdly, where the tenant's interest h expired, or is determined. The first statute in Ireland, which was pass for the purpose of enabling landlords to recover the land, where the re was in arrear, and where there was a condition for re-entry, was the 11 of Anne, c. 2. Previous to that the remedy for the landlord was giv by common law, and there were a number of nice and previous requisit to be complied with, to enable landlords to take advantage of a breach the condition; and that, if I recollect right, was the first statute that di pensed with those niceties, upon which landlords were frequently turn round, and gave them a more simple mode of procedure. This statu (11 Anne) enabled landlords to recover possession where above half year's rent was due, and no sufficient distress was upon the land, and clause of re-entry was contained in the agreement, lease, or contra The next statute which occurs is, I think, the 4th of George I., c. and by that statute, where more than one year's rent should be du though there be a distress sufficient on the land to answer the rent arrear, a power was given to the landlord to maintain an ejectment. Th former act was, where half a year's rent was due, and no sufficie distress upon the land; but here it is, where there is more than o year's rent due, and it dispenses with the ingredient of a sufficie distress. Then comes the 8th George I, c. 2, which provided, th where one whole year's rent, or more, should be due, the landlord mig bring his ejectment, and it simplified and facilitated the proof of title making the counterpart of the lease, reserving the rent and possession the land for three years by the lessor, or those under whom he deriv title, before service of the ejectment. The next statute I think it necessa to advert to, is the 5th of George II., c. 4, and this is a statute up which an ejectment may be brought, where one whole year's rent or mo is due, although there be no clause of re-entry in the lease, or agreemer It gave a power to the landlord to recover the arrears of rent, as if a ejectment had been brought, or judgment had, or execution execute Then came the 25th of Geo. II., c. 13: where one year's rent is unpa an ejectment may be brought, as if the article or contract contained

actual demise, and a clause of re-entry, the former statutes including only cases were there was an actual demise. Then came the 15th and 16th of Geo. III. c. 27, which was more in the nature of an explaining act. Doubts had arisen upon the former acts, whether it had not been necessary to make a demand of the rent, before an ejectment was properly brought. A number of ejectments had been brought without that previous demand, and after the landlord had got into possession leases had been made of the lands so ejected. Then there was a question, whether the ejectment was a good one? or whether those leases were good? "a previous demand of rent not having been made," because these words occur in the previous statute; and in order to quiet titles, and explain and amend the law in that respect, the statute of the 15th and 16th of Geo. III. was passed. There appears to have been a pause in legislation upon this subject, until the 1st Geo. IV. c. 87. That was a statute which provided, that where the term or interest was determined by notice, or the interest expired, and the tenant refused to give up possession after demand made, the landlord bringing an ejectment might give notice at foot of the declaration for the tenant to appear on the first day of term, and give bail; and then upon the appearance, or in case of default, and upon affidavit of service by the landlord, and upon the production of the lease of agreement, and the affidavit containing an averment that the premises had been enjoyed under such lease, there was a power given to the landlord to move for a rule that the tenant should give an undertaking, in case of a verdict for the plaintiff, or of default, for judgment of the preceding term, with sufficient sureties for costs and damages. I might here, perhaps, observe, that the first statute as I recollect—though not pretending to be very conversant with the English statutes upon the subject—the first statute which is equivalent to the statute of Anne, dispensing with the former niceties of the common law in England, was the 4th of Geo. II. c. 28, so that we were so far behind hand with England in legislation upon this subject. The next class of statutes, giving landlords a remedy by ejectment, are those giving jurisdiction by civil bill. The first act to enable landlords to recover possession of the premises by procedure in the Assistant Barrister's Court by civil bill, is the 58th of Geo. III. c. 39.

The first remedy which that statute gave the landlord was in cases of premises being abandoned or deserted, or left uncultivated by the tenant, without sufficient distress to answer for half a year's rent, which must be due to enable him to get possession of the land. There is, I think, an earlier analogous statute in the English statutes. The next case was, where the rent was less than 50*l.*, or did not exceed 50*l.* per annum, and the tenant's interest is determined—that is, determined by notice to quit, or where it has expired by efflux of time. The third case, where a remedy is given to a landlord, is, where the rent does not exceed 50*l.* per

year, and a year's rent is due—a power is given to bring a civil bill, bu there the contract must be in writing. The truth is, that in a grea multitude of cases the second remedy which I have stated as given to landlord by this act—namely, the power to eject a tenant, where th tenant's interest is determined by notice to quit—is used for the purpos of recovering the premises where rent is in arrear, being cases of tenant from year to year, because you cannot proceed under the clause giving the power to eject for non-payment of rent unless there is a contract in writing; and where it is a mere tenancy from year to year, and an arrea is due, the landlords proceed by giving a notice to quit, and in that wa it is frequently done more for the purpose of compelling payment of th rent, or ejecting the tenant, in consequence of being in arrear, than fo the mere purpose of getting possession of the land. These statutes I hav referred to are all, as the Commissioners will observe, statutes beneficial t the landlord, enlarging the remedy he had at common law, and giving hin additional powers, either to obtain his rent, or, in default, to obtain pos session of the land. I come next to the 6 & 7 Will. IV. c. 70, which is statute enlarging, in other causes of action, the jurisdiction of the assistan barrister in the civil bill court, and there are in it some very useful provision regarding replevins, to enable the tenant, giving him a cheap remedy t try the question of rent or no rent, or how much rent is due between hin and his landlord; so that I consider that act, though it may be very beneficial, of course, for the landlord, as one most beneficial also for the poorer class of tenants, as it enables them to contest the matter cheaply, and almost, I may say, summarily, with the landlord. Now I do no know whether there be any value in the remark, but I beg to refer the Commissioners to the circumstance, and they will perhaps derive some information from it, as to the relation of landlord and tenant in Ireland, whether it has been in former times, or at all times, amicable or not, whether it proceeded smoothly and satisfactorily between the landlord and tenant fo many years, the titles and preambles of the various statutes, at least the greater portion of them, recite frauds and evasions on the part of the tenants and other charges against them. Without at all meaning to give any opinion or to deduce any inference of my own upon the subject, I merely refer the Commissioners to those portions of the statutes, a furnishing a kind of legislative history on the subject. It may also be desirable to have the attention of the Commissioners called to the 26th o Geo. III. c. 24, s. 64, that is an act regarding forcible possessions and declaring persons taking or keeping forcible possession or resisting process for giving possession guilty of felony, and subjecting them to transportation for seven years. There are statutes enlarging the common law against forcible entries and detainers which are common both to England and Ireland, and where the offence is but a misdemeanour, but the 26th of Geo. III. is peculiar to Ireland.

With reference to ejectments I may mention another act, the 1st and 2nd of Will. IV. c. 31, which contains a provision to enable landlords, to whom a right of entry accrues during or immediately after Hilary and Trinity Terms, to prosecute ejectments against their tenants, so as to have a trial at the ensuing assizes. Before that act the tenant might postpone the landlord for nearly a year. It provided that when the tenantcy expires in or after Trinity or Hilary Term, facilities should be given to the landlord to proceed by ejectment and have a trial, and power is also given to the Court to issue an immediate writ of possession, according to its discretion. As the commissioners wish to know the exact state of the law as between landlord and tenant, the next subject to which I would refer would be the subject of subletting, and the first act against subletting was the 7th of Geo. IV. c. 29, and it was there provided by that statute, which was in operation till April 1832, if I remember correctly, that although there was no clause against subletting contained in the lease or agreement, subletting was forbidden, unless there was a consent in writing by the landlord and it took away all constructive waivers, where there was a clause against subletting. Whether that law was considered too stringent, or whether it did not work usefully, at all events it appeared wise to the legislature to modify and alter it, and it was so modified and altered by the 2nd of Will. IV. c. 17, which required that there should be a covenant against subletting in the lease, and provided that no act of the landlord should be deemed a waiver of the covenant, unless he was a party to the instrument of subletting, or his consent was given in writing, and that it should in such case be only a waiver for the particular instance. Nice questions of law were often raised upon those covenants which were regarded as conditions, and acts of express or constructive waiver were considered as destroying the covenant altogether. It further provided that where there is a subletting without the consent of the landlord, the mesne landlord should not have any remedy for the rent or the occupation of the land. It confers also this benefit on the tenant, that where there is a subletting with the consent of the landlord, in cases where he has paid his rent to his immediate lessor, he is relieved from all liability to distress to the head landlord for rent due by the mesne landlord to such head landlord. It also gives a power to the head landlord, in all such cases where his immediate tenant is in arrear, to serve notices on the occupying tenants, to lien their rents in discharge of it, and after such notice to recover the rent from the occupying tenants. Perhaps I should now refer the Commissioners to what is called, in common parlance, the Tenantry Act, that is, the 19th and 20th of Geo. III. c. 30. There is no corresponding enactment to this statute in England; the recital of that act declares the object of it; it was for the purpose of relieving tenants holding under leases for lives, containing covenants for a perpetual renewal, and it enabled courts of equity, upon an adequate com-

pensation being made, to relieve the tenants and their assigns against lapse of time, where they had passed the time, and had not renewed or paid up the renewal fines, where fines were reserved; it enabled or paid up the renewal fines, where fines were reserved; it enabled courts of equity to relieve tenants against such lapse of time if no circumstance of fraud was proved against such tenants or their assigns; but it took away the equity, where landlords, or lessors, or persons entitled to receive such fines, had demanded those fines from the tenants or their assigns at the time, and they had been refused, or neglected to be paid within a reasonable time after such demand. I believe I have stated as much as occurs to me upon the subject of the law regarding ejectments. I come now to the subject of distress for rent in arrear. There are various statutes regulating distresses. The first statute to which it may be necessary to call the attention of the commissioners is the 7th of Will. III. c. 33, and that enabled the landlord where the first distress was insufficient to repeat the distress, and it enabled the landlord to distrain upon sheaves of corn and hay, and such like, which, though secured, were not distrainable at common law. Such things were not distrainable at common law, because it was supposed that a distress at common law was a mere pledge for the rent; and those being articles which could not be re-delivered to the tenants in the same plight in which they were when they were taken, they were by the common law not liable to distress; for instance, the corn might be shed, and hay in cocks scattered; so that statute gave a power to the landlord which he had not at common law. It was not until long subsequent that a similar power was given in England; it was given, but by a latter statute.

Then comes the 9th of Anne, c. 8, which enables landlords to seize goods fraudulently carried away for the purpose of avoiding a distress; it enabled them to seize goods *within five days*; it also gave the power to the landlord to distrain for rent due at any time within six months after the lease was determined, that is, if the tenant, or those under him, remained in possession, and that the landlord's title continued. The 4th of Geo. I. c. 5, gave a power to the landlord, in case he made a distress, and the distress was rescued, to evict as if no distress had been made. The 8th of Geo. I. c. 2, enabled constables to assist and watch in cases of rescue, and provided a certain payment for them. I have not the exact words in my recollection. The next statute is the 15th of Geo. II. c. 15, which enables landlords to seize goods fraudulently carried off the premises to prevent distress, within twenty days—the former statute limited landlords to five days. This gave them twenty days, and it enabled them to sell them as if taken upon the premises; and it contained a further penalty making their tenants and their aiders—persons aiding them in so fraudulently removing—forfeit double the value to the landlord. It also enabled landlords to distrain tenant's stock upon a

common, as if actually upon the premises, and it further gave them an advantage also for the tenants, enabling the distress to be impounded upon the premises and not to be carried away. Then the next statute, the 25th of Geo. II. c. 13, is a statute giving a general avowry. Before that statute it was necessary, in some cases, to deduce title, which was sometimes attended with very great difficulty. In replevins it gave a general avowry, facilitating the pleading of the landlord, and double costs also, although there was no demise contained in the agreement.

The next statute to which it is necessary to call the attention of the Commissioners is the 56th of Geo. III. c. 88: that is the statute which gave the civil bill jurisdiction in cases of ejectment, but it contained a general provision enabling landlords to distrain growing crops; this power had been long given in England: nothing else occurs to me on the subject of distress. Upon the subject of rent there is another point: that statute to which I have referred contains what I may call a protecting clause for the occupying tenant, where he held under a middle man, or a mesne landlord: he was formerly liable to a double distress without an adequate or, rather, an easy remedy. Cases have occurred where a tenant paid his rent to an immediate landlord; the middle man and his mesne landlord not having paid his rent to the head landlord, the head landlord came upon the occupying tenant, and distrained him for the rent, although his rent had been paid to his immediate landlord. There are certain provisions enabling the tenant to recover by civil bill the amount of the sum which he shall actually have paid, with costs and damages: and also there is a provision giving a scale of compensation—I think £10 in the 100—but not precluding him proceeding for special damage, if damage should have occurred, and he prefers that mode of getting compensation. I do not know whether it strictly comes within the law of landlord and tenant; but in reference to joint leases, it just occurs to me, that there is a statute, in the case of the registration of freeholders, which leads so far to discourage joint leases, disabling joint tenants holding under any deed, lease, or instrument subsequent to July 1823, from registering or gaining the franchise."

Legal prescriptions are always more or less modified by circumstances. The possession of property in Ireland was powerfully affected in this way. The process of legislative confiscation persisted in for centuries was full of change and violence, and it naturally led to a corresponding variety of insecure and disadvantageous tenures.

The first remarkable consequence resulting from so many confiscations, was the enduring character of the quit and crown rents. In England similar charges were established at the Norman Conquest, but they gave way by degrees to the

progress of order and improvement, and at last disappeared, each great proprietor becoming lord of his own soil free from every species of feudal tribute or pecuniary obligation to the crown. In Ireland quit rents continue to be paid to the crown at the present day. As each unsuccessful rebellion in its turn placed the lands of its victims at the disposal of the sovereign, re-grants were made as a matter of course, subject to an acreable quit rent after the old feudal fashion. Owing to the frequent re-creation of these rents, coupled with the general instability of Irish affairs, comparatively few estates in the country down to a recent period were held in absolute and independent fee. Even at the present day, when all who are charged with them may, if they please, liquidate the incumbrance upon easy terms, they exist to some amount. Much curious information respecting them, and the rebellions of the years 1641 and 1688, to which they are more directly referable, is to be found in Howard's History of the Irish Exchequer, and in the Fourth Report of the Irish Revenue Commissioners, 1812. According to Howard they produced for the year ending Lady Day, 1773, £64,152 19*s.* 5½*d.* In the year ending March 31, 1801, they amounted according to a return of the House of Commons [266, Sess. 1834,] to £60,613 17*s.* In the year 1826, they rose to £93,938 5*s.* 3½*d.* In 1835 they realised (Return 222, Sess. 1842) £83,350 14*s.* 8*d.*, and stood on the 5th of January, 1846 (Return 696, Sess. 1846), at £66,955 5*s.* 1*d.*

The mere continuance of these payments would not perhaps have produced by itself any unfavourable effects upon the tenure of property. But they furnished a precedent to the larger proprietors which having been extensively followed has proved extremely pernicious. After each convulsion came fresh proprietors. These were generally men ill acquainted with the requirements of the country, and the habits of the people, and also ill prepared, in most instances, to fulfil the only obligations that could have consolidated and advanced the interests inseparable from their new position. No common abilities, and no ordinary resources were demanded from those who became undertakers or settlers for the first

time in Ireland, and unfortunately for the country they were rarely supplied. The majority soon tired of a property which in a strange country and amidst a refractory population afforded neither peace, enjoyment, nor distinction. In this state of perplexity and discontent they seized upon the crown practice of a quit rent to which they were themselves subjected, as an example stamped with the prestige of the highest authority, and furnishing the readiest and most convenient means of relief.* They granted at small rents such long leases of their lands as lives renewable for ever, and terms of 500 and 999 years. They were content in short to entitle themselves to a limited but certain income from vast possessions which were not to be occupied personally without the risk of incessant danger and incalculable losses.

The quantity of land held in Ireland on leases of lives renewable for ever, and for terms of 500 and 999 years is enormous, and so numerous have been the intermediate leases granted at small profit rents that as many as six and seven landlords, each deriving sums of sixpence, a shilling, and half-a-crown an acre, have frequently been known to intervene between the crown and the virtual possessor of the property, that is to say, the actual holder of one of the leases referred to, and deriving under it the predominant interest in the soil.

The labyrinth of tenures with their concomitant settlements which occurs in a case of this kind, renders the transfer of property difficult and expensive, and proves a heavy bar to improvement. In the case for instance of 1000 acres of land held for 500 years and chargeable to anterior lessees with a rent of 5*s.* an acre, while to the last lessee it is worth £1 an acre, how can improvement be expected to take

* "From the unsettled state of Ireland, the various confiscations and forfeitures, landed property had formerly been considered of little value; and in order to form a good tenantry and give encouragement to improve the land, this species of tenure—leases with covenants of perpetual renewal—was devised. It was said to have been introduced by the Ormonde family, and a great proportion of the property of the country was held under it. On the fall of each life in the line (lease?) a fine was paid, and if the life was not substituted within a stated period (three or six months) the interest became forfeited to the landlord."—*Grattan's Life by his Son*, vol. ii. p. 82.

place? The persons who receive the smaller sum will expend nothing, because they cannot add anything to their present interest. The last man will also be found unwilling to invest money under such a lease, because, improbable as the result may be, it is still possible, if he should become embarrassed, that one or other of the prior lessees may step suddenly in and oust him of the estate, and with it all the fruits of his outlay.

The consequence is, that in numberless instances property held under these tenures is grievously mismanaged. It may not be quite reasonable that this should be the case, but while the fact stands prominently before us, it is vain to declaim against any prejudice or inconsistency that may be supposed to have produced it. One thing, moreover, is certain—the well-known uncertainty of the law in general, and the severity of the law of ejectment in particular, are enough to justify the reluctance of a prudent man to spend much capital upon a title of this precarious description. It is further to be noted that from time to time some imprudent or unfortunate man is sure to be seen suffering ejectment from one of these long tenures, to the manifest discouragement of all similar lessees.*

No plan for the improvement of the relative conditions of landlord and tenant will be perfect that leaves this cardinal evil without a remedy. Having been the growth of ages, it will offer a stubborn resistance to correction or removal; but a change there must be if the landed interests of the country are to be placed upon a strong and permanent foundation. One step in the right direction might perhaps be taken quickly and with ease. We know that for agricultural purposes a

* "Every day's experience," says Sir M. O'Loghlen when giving a judgment as Master of the Rolls, "shows how very uncertain the duration of an interest under such a tenure is. Forfeitures of the right to enforce a renewal daily occur through the neglect of tenants, or the dexterous management of landlords. Covenants treated in some cases for more than a century as entitling tenants to renewal for ever, have been construed by courts of justice as not conferring that right. Any person who is much engaged in the investigation of titles under leases of lives renewable for ever will find in almost every abstract of such titles a statement of the result of one or more suits in equity for enforcing the right. The usual statement is—the right to a renewal having been questioned, it became necessary to file a bill in equity."—*Lynch's Measures for Ireland.*

lease of 31 years, and for building a lease of 99 years, suffices. Might not the beginning at least of a new era be attempted by the passing of a law to forbid for the future all grants of leases for longer terms than those just named? By such a law, the further extension of an overwhelming evil would be arrested, and by that a certain gain would accrue; for such is the force of custom, that fresh leases of this kind are made even in our time,* and purchasers of these quit or head rents, as they are called, are always in the market, who prefer them as modes of investment on account of the superior security they offer for the payment of the interest created.

How far it may be wise and practicable to afford facilities to persons possessed of the predominant beneficial interest in such leases to buy up the small quit rents to which they are now subject, and whether it may not be necessary to grant compulsory powers for that purpose notwithstanding existing settlements, are questions of detail, at once too important and intricate to be entered upon in a general sketch of this description. They demand, however, the most prompt and attentive consideration; for the tenor of all experience proves that prosperity is impracticable in Ireland while such tenures continue to prevail.

* A recent instance of the kind may be worth mentioning. A Dublin merchant after realising a sum of £60,000 resolved, a few years ago, to retire from business. Soon afterwards an estate in one of the Midland Counties was put up to auction, and he became the purchaser of it for about the sum stated. Upon obtaining possession of the property he called the tenants together and asked them to name rents they would be content to pay if he continued them in their farms. The answer generally was a pound an acre. But if I give you a lease of thirty-one years said the landlord, what will you give then? Oh, twenty-five shillings for a lease, was quickly responded. And what for a lease for ever? A lease for ever! Sure your honour's joking with us, cried the astonished tenants. Not at all, replied the landlord. Here are the leases ready drawn, and he produced a little library of parchment; and I am willing to give leases for thirty-one years or for ever, as may be agreed upon, to every one of you. The upshot was that the whole estate was relet on leases for ever at thirty shillings an acre. Now this, as between the parties contracting then and there, may have been a very legitimate and satisfactory transaction; but the soundness of its policy as regards the heirs of those parties, and the state, which was also concerned, though not represented on the occasion, may be seriously debated. Every acre of that estate may in the course of fifty or a hundred years become worth more than double the present rent, and though now flourishing it may then sink into one of the most ill-conditioned and poverty-struck properties in the kingdom.

Passing over leases for 21 and 31 years, and one or more lives in reversion, which were general when a forty shilling freehold* conferred the parliamentary franchise, but which have fallen rapidly into disuse since that privilege was taken away, we come to notice the other prevailing modes of tenancy. Mr. Eugene Curry tells us, in the letter already quoted, that—

"The mode of taking land to farm in the reign of James the First, and down to the middle nearly of the last century, was by parcels of ballys, townlands, or half ballys, plough lands, or half plough lands, &c., at high rents. The farm was taken by a man and his sons, brothers, cousins, or neighbours, and divided among themselves, on the principles of fellowship, but they never had the power given them of transferring the possession of the farm, in whole, to any other party; with their minor divisions, and occasional transfer of a minor division, the lord did not concern himself, the land being at all times responsible to him for his rents, without any regard to the particular occupier. This system led to confusion and irregularity, where the landlord and tenants were not of the same race or tribe, or even nation.

"On the accession of James the First, and the confiscation and plantation of the six northern counties, a new race of owners and tenants sprang up in these counties. Between those parties there was scarcely any of the sympathy which might be expected to subsist between landlord and tenant, as the former got his lands in an abrupt and summary manner, and was constrained to accept as his tenants such persons as the state assigned to him, and to such terms as the same state deemed proper to prescribe. This system continued for a long time to be one of considerable dissatisfaction to both landlords and tenants, the former making various attempts to limit and cramp the privileges of the latter, and the latter constantly, and successfully too, calling on the state to sustain him in his original position. Within the last seventy years this state of things was found to correct itself; for, when the native Irish began to breathe a little more freely, and multiply in numbers and in hostile feelings to the new aristocracy, the latter deemed it their interest to encourage and indulge, even to spoiling, the men of their own creed and kind, who had now, under government support, grown up into a powerful armed confederacy, so that a little encouraging and soothing favours, which were from time to time conceded directly or through neglect,

* The Irish forty-shilling freehold was first granted in the reign of Henry VIII., and was abolished in the reign of Geo. II. when, as Primate Boulter stated, the Roman Catholics being five to one were found to be growing too strong for the English interest. The elective franchise from this freehold was conceded in the year 1793 as an instalment of Catholic Emancipation, and again extinguished when that measure was conceded in 1829.

became fixed rights and privileges engrossed on the far-famed roll of 'No Surrender.'"

The opinion expressed in the last sentence is not altogether well founded, but there appears no reason to doubt that it is from the old practice of letting land to farm in townlands, and to whole families, and also from the confiscation system, that we have derived the two modes or customs of tenures now remaining to be described. These are the rundale and tenant rights which are peculiar to the north of Ireland, and have for some time past been subjects of considerable interest.

The Rundale "system," as it has been called, is a lingering remnant of the old cases in which bodies of men took large tracts or divisions of land to cultivate amongst them. They took the land in common, and each claimed a common right to the whole. This rude custom and worst form of tenantry still prevails in Donegal, and the wilder ranges of the north, where each tenant considers himself entitled to a portion of each various quality of land in his division. The man who had a bit of good land at one extremity is sure to have a bit of bad at the other, and bits of other quality in odd corners, each bounded by his neighbour's farms, without any ditch or fence between them; trespasses and fights, and the total impossibility of any improvement are the natural consequences.*

Tenant right† is the difference between the rent actually charged by the landlord, according to the custom of the country, and the utmost competition value of the land. So that if the rent on an extensive estate be low, and confidence in the landlord be great, the amount of tenant right will be large. It exists equally in the cases of tenancy at will and leases. It prevails generally throughout the whole province of Ulster, but varying in amount in different counties—being highest in Armagh and Down, and lowest in Monaghan and Cavan. Out of Ulster it is only met with in the counties

* Facts from Gweedore, by Lord George Hill.

† This account of Tenant Right, its value and origin, is taken from the evidence given before the Committee on the Town Land Valuation of Ireland, 1840, and the Land Commission, 1845, by Messrs. Senior, Griffiths, Sinclair, Hancock, &c.

Sligo and Leitrim, and in them to no considerable extent. Throughout the rest of Ireland it is unknown.

The custom is an old one, and its origin is ascribed to the manner in which the settlement of Ulster was effected. That settlement, says Mr. Sinclair, was quite a feudal settlement. The tenants *in capite* got a certain portion of land, on condition of subletting to under tenants a portion for three lives and twenty-one years, upon strictly feudal terms, as to be ready with arms to defend the place; and it appears that we can trace the present indefeasible tenant right up to that, for those who were settled by the original patentees were in some sort fosterers or kindred, and were then engaged in the defence of the country, and became rather a kind of friendly tenant than a tenant for money; and I think from that time to this, the tenant right has been continued, and in no way altered by law but by custom. It arose from the persons so brought in having in the first instance built the dwellings and houses themselves, and their being connected in a closer way with the original patentees than the mere connection of a tenant with a landlord.—*Land Commission Report*, Par. 11—185.

Mr. Senior takes nearly the same view of the origin of this right, saying, the early settlers were stationed in a hostile country, and could only tempt their retainers to come over, or remain, by granting permanent advantages in return for the protection they afforded. It may in fact have been a species of feudal tenure.—*Townland Survey Report*.

Tenant right can only exist where land is let on low terms. On steadily managed estates it has risen as high as from 20*l.* to 30*l.* an acre, and it falls as low as 3*l.* an acre. It is found in point of fact that as the rent rises, the tenant right falls in amount. If land worth 2*l.* an acre be let for 1*l.* an acre, the value of the difference will be given by the incoming tenant as a premium for his admission to the farm. And that will be done, whether the difference of 1*l.* an acre arises from the original state of the soil, or has been produced by drainage or other agricultural improvements.

The marketable value of the tenant right greatly depends upon the character of the landlord. Some proprietors regard it as a point of honour not to raise the established rent; by others it is treated simply as a matter of good policy, or a compulsory obligation. For the disallowance of the right is attended with serious consequences. When the landlord refuses to admit the right, the incoming tenant's house is burned, his cattle are houghed, or his crops trodden down by night.

Of late years, a strong disposition to abate the right has been manifested, but hitherto it has been strictly respected—so much so, that a landlord, who is obliged to evict a tenant by process of law, will not consider himself at liberty to let the land at a higher rent than the former tenant has paid for it. He will allow the outgoing tenant the full value of his tenant right, and will return him any sum it may produce over and above the amount of the arrears which caused the eviction. The incoming tenant, under such circumstances, is charged precisely the rent undertaken by his predecessor. The consent of the landlord is commonly, though not invariably, looked for in transactions of this kind. In the majority of them no sale can take place, if the landlord will not accept the incoming tenant. At the same time instances are recorded in which he has not been consulted.

It is admitted on all sides that tenant right has its advantages; but these, by some authorities, are held to be outweighed by its disadvantages. Unquestionably, the landlord's rent is secured by it in the firmest manner. The tenant in possession may break down and not pay, but another is sure to be found under the protection of this custom, who will come in and discharge the arrears out of the purchase-money given for the right. A man, moreover, is encouraged to make improvements, to keep his house, farm buildings, and fences in good repair, when he knows that in the event of his giving up his holding, no matter from what cause, he will be repaid the fair value of any permanent improvement he may have effected. Practically, however, the right is accompanied by serious inconveniences. As the landlord is forbidden to look

for an increase of his rent, the burthen of effecting improvement necessarily falls exclusively upon the tenant; and when he happens to give a large sum of money to obtain possession of his farm, he is often found to have exhausted, in that investment, the capital required for profitable husbandry. Where, moreover, as often occurs, he has borrowed the purchase-money, he begins his tenancy in a state of distress, from which he is seldom able to rise. Such a person will be compelled to apply to the discharge of that debt, and the interest accruing upon it, the means required to keep the land in a state of good cultivation.

If such a right should come to be faithfully admitted for any length of time, two results seem inevitable: the landlord's interest will become an unimproveable one, and the rent will resolve itself in effect into a species of quit rent. The power of interfering in matters of detail, of altering the size of farms, and of introducing a higher class of tenantry, will be taken from the landlord. For if he should wish to consolidate half-a-dozen farms into one large one, he will only be able to accomplish his object by buying up the tenant's right, which would be tantamount to a re-purchase of his estate.

There is this additional peculiarity in the tenant right, that although extensively observed, it does not appear to have received any legal sanction. This being the case, the range of the estimated value being so considerable—from 3*l.* to 30*l.* an acre—and the tendency to control and abate the right being so marked, it is reasonable to believe that even if left to the action of existing causes, it will gradually decline. If, however, a law shall be made to secure to every outgoing tenant the re-payment of all money invested in substantial and permanent improvement, it must quickly disappear. This, it is to be hoped, will soon be the case. For it is impossible to read the voluminous evidence that has been collected upon the subject, without perceiving that the custom is a clumsy mode of enforcing equitable compensation for work and labour of substantial value. In the earlier instances referred to, the tenant built the house, and the farm buildings, and he preserved them

in times of danger. In later times he has reclaimed mountain wastes—making a property of that which before was unproductive; or he has thorough drained and fenced, thus adding increased value to the estate. A sense of equity, under these circumstances, has led the one contracting party to claim, and the other to admit, the price of a positive benefit conferred. It is now time that so material a right should no longer be left dependent upon the force of a variable custom, or confined to one only of the four provinces of the island.

Tenancy at will remains to be noticed. In Ireland, like most other things, it differs essentially from the corresponding occupation in England and Scotland. In these countries the landlord invariably does something more than merely let the bare land. He contributes buildings, gates, fences, and puts the ground in a tenantable condition. In Ireland the practice, with a few bright exceptions, is to do nothing but take the highest rent that can be obtained, and to make no allowance for improvements—not even for the erection of substantial buildings.* Upon this subject nothing more can be required in the way of illustration than a reference to the opinion of Adam Smith, who speaking of the contrary practice in England maintained that the laws and customs, which

* Wakefield's description of Irish landlords and tenants in the year 1812 gives the present condition of both. "In Ireland, landlords never erect buildings on their property or expend anything in repairs, nor do leases in that country contain so many clauses as in England. The office of an agent is thus rendered very easy, for he has nothing to do but to receive his employer's rents twice a year, and to set out the turf bog in lots in the spring. Six months' credit is generally given on the rents, which is called the "hanging gale." This is one of the great levers of oppression by which the lower classes are kept in a kind of perpetual bondage, for as every family almost holds some portion of land and owes half a year's rent, which a landlord can exact at any moment, this debt hangs over their heads like a load, and keeps them in a continual state of anxiety and terror. If the rent is not paid the cattle are driven to the pound, and if suffered to remain there a certain number of days they are sold. This I have frequently seen done after the occupying tenant had paid his rent to the middle man, who had failed to pay it to the head landlord. The numerous instances of distress occasioned by this severity, which every one who has resided any time in Ireland must have witnessed, are truly deplorable, and I believe them to be one of the chief causes of those frequent risings of the people under various denominations which at different times have disturbed the internal tranquillity of the country, and been attended with atrocities shocking to humanity and disgraceful to the empire." Wakefield further reported the common price

secured to the yeoman a beneficial interest in the improvements he effected, had contributed more to the grandeur of the country than all her boasted regulations relating to commerce taken together.

The quantities in which land is chiefly held to cultivate in Ireland, are farms of less than one and not more than thirty acres. These are classed in the Census Report of 1841.* It thus appears that the number of holdings under *one* acre is 685,309; above one to five, 306,915; above five to fifteen, 251,128; above fifteen to thirty, 78,954; and above thirty acres, 48,312.

If we assume, and the computation is a moderate one, that there are four persons in every family located on each of these holdings, we shall first have so many as 2,741,236 persons in Ireland committed to the impossible labour of sustaining existence out of patches of land each less than an acre in extent for every four persons. We shall next have 1,227,660 persons barely able to live upon farms of from one to five acres in extent. It is only when we come to the 1,004,512 persons occupying farms of from five to fifteen acres, that we find the means of the most frugal comfort placed within the reach of one eighth of the population, very nearly one half of the whole being at the same time either in a state of pauperism, or removed but a single stage from that extremity.

These statistics prepare us for the admissions—and

of labour to be 8*d*. a day and in some cases 6*d*., just as it is now, and the rents of different kinds:

First, the rent to the Crown, small.

Secondly, the rent to the holder of the grant from the Crown, also small.

Thirdly, the rent to the middlemen, often five or six deep.

Fourthly, the occupying tenant whose toil discharged the whole.

* The distribution into provinces is worthy of notice.

Provinces.	Under one Acre.	Above one to five Acres.	Above five to fifteen Acres.	Above fifteen to thirty Acres.	Above thirty Acres.
Leinster . . .	133,220	49,152	45,595	20,584	17,889
Munster . . .	162,386	57,028	61,320	27,481	16,557
Ulster . . .	234,499	100,817	98,992	25,099	9,591
Connaught . .	155,204	99,918	45,221	5,790	4,275
	685,309	306,915	251,128	78,954	48,312

echoes of the harrowing pictures drawn by all preceding authorities—made by the Commissioners of Land Inquiry in 1845. Every member of that Commission was an Irish landlord, and they reported *unâ voce* to Parliament—that "*the agricultural labourers of Ireland suffer the greatest privations and hardships—they depend upon precarious and casual employment for subsistence—they are badly housed, badly fed, badly clothed and badly paid for their labours—it would be impossible to describe adequately the sufferings and privations which the cottiers and labourers and their families in most parts of the country endure—in many districts their only food is the potato, their only beverage water—their cabins are seldom a protection against the weather—a bed or a blanket is a rare luxury—nearly in all, their pig and their manure heap constitute their only property—a large proportion of the entire population comes within the designation of agricultural labourers, and endure sufferings greater than the people of any other country in Europe have to sustain. * * * It would be impossible for language to convey an idea of the state of distress to which the ejected tenantry have been reduced, or of the disease, misery, and even vice which they have propagated in the towns wherein they have settled; so that not only they who have been ejected have been rendered miserable, but they have carried with them and propagated their misery wherever they have dwelt.*"

This power of ejectment is characterized by a sweeping severity that makes the Irish landlord resemble some Eastern despot, inflicting general punishment. At every blow he smites a multitude. Particular information has been laid before parliament on several late occasions respecting the frightful extent to which the power is carried. Amongst the latest documents published upon this subject is a return ordered to be printed by the House of Commons, 12 June 1846, from the clerks of the peace and the proper officers of the Courts of Queen's Bench, Common Pleas, and Exchequer in Ireland. By this paper* it appears that in the year 1844 there were

* The returns give various and not always similar details, which are too minute for insertion here. The extent of land affected is mentioned in the civil bill cases, but not in the proceedings of the superior courts.

6522 ejectments brought, in which 23,822 persons were concerned, and in 1845, 4900 ejectments, in which 18,070 persons were concerned: total in two years—ejectments, 11,411; persons affected, 42,900.

It was remarked in the first chapter of this work, v. i, p. 7, "that the improvement of Ireland must, if it is to be permanent, spring from the very lowest foundations of the social system. We must begin at the bottom and work upwards." If this be not a false notion, the first care of the statesman who aspires to render his name immortal by regenerating Ireland, must be the removal of the huge dead weight created by 3,968,896 persons who overlay the industrial energy of the whole community in the desperate attempt to derive subsistence from 992,224 farms, each under five acres in extent. These are paupers, and they must be dispauperised. They must be enabled to find some better means of subsistence

The acres, moreover, in the former cases are specified in different measurements — Plantation, Cunninghame, Irish, Statute and Imperial. In the following summary to avoid excess every acre has been computed as English measure, which is the smallest of all.

1844.

	Number of Ejectments.	Number of Acres.	Number of Persons affected.
Quarter Sessions . .	4683	22,681	13,085
Queen's Bench . .	963	not stated	7,908
Common Pleas . .	76	ditto	1,153
Exchequer	790	ditto	2,686
	6512	22,681	24,832

1845.

	Number of Ejectments.	Number of Acres.	Number of Persons affected.
Quarter Sessions . .	3501	13,602	9054
Queen's Bench . .	726	not stated	5870
Common Pleas . .	62	ditto	904
Exchequer	610	ditto	2242
	4899	13,602	18,070

than the roots they have hitherto reared out of their scanty patches of ground. They must not be dragged at the rate of 20,000 in a year before the courts of justice, and subjected to a summary eviction from their little all. For they constitute the vitals of the social system, and while they remain unsound, how can the system itself be wholesome?

When the proposed task comes to be undertaken, and the proper time for it is already overdue, the state at large will have to do much—the landlords more, for ultimately they will be the largest gainers by the results. In applying their resources to raise their unfortunate country from ruin by retrieving their own shattered fortunes, it will behove them to seize upon a high principle of action, and be themselves the first to put a social ban upon the landlord who, for the future, may be so wicked as to let land in a manner, or upon terms manifestly injurious to the public welfare. When, for instance, a tenant is known to have no means of subsistence but the produce of a farm, how is it possible for the landlord to stand justified, either to his own conscience or his country, who lets that land at a rent or in a quantity which, as he well knows, will not yield the tenant what Chief Justice Blackburne has so truly called the means of decent subsistence? This test would be infallible if it were generally applied—the good would soon be separated by its virtue from the bad. When landlords write to the newspapers or rise from their seats in parliament protesting that they do their duty and are greviously wronged by the aspersions cast upon the class to which they belong—one explanation should be demanded from them—they should be called upon to show how the farms upon their estates are distributed, and how far the size and rent of each are sufficient to enable the tenant to derive from it the means of decent subsistence. The severity of such a test would be more apparent than real; for it is due to the body to state that there are in every province in Ireland estates so well managed as to demonstrate that the system desired is not only practicable but highly advantageous. Its extension is mainly prevented by those who will neither consent to allow the poor man to have a property in the produce of his labour or

subsistence from a poor rate when no labour is to be obtained.

In order to enforce generally the salutary action of such a rule, the state, as already observed, will have to contribute its part, and the requirements needed in this respect may be briefly reviewed. They are

First, A law to secure compensation for substantial improvements effected by tenants for their landlords.

Two bills have been tendered within the last few years for this purpose—the first in the session of 1843 by Mr. Sharman Crawford to the House of Commons, and the second to the House of Lords by Lord Stanley in the session of 1845.

The former dealt with the subject in a straightforward manner, and might by a few amendments have easily been rendered an appropriate measure. It proposed to give equally to tenants holding from year to year and on lease, compensation for the erection of new buildings and the repair of old ones, and for planting and raising fences; and "for effecting permanent improvements by draining, quarrying, reclaiming, inclosing, spade-trenching, or any other means by which the value of such lands shall have been increased." The compensation having been assessed in the first instance by the county surveyor, was, in the event of disagreement between the parties, to be determined, when the amount exceeded £100, in the Court of Exchequer, and, when under that sum, by process before the assistant barrister at the quarter sessions.

Assuming the word "buildings" here to mean what was probably intended, though not expressed, buildings suitable to the agricultural purposes of each particular farm, there was much to commend in this plan and in the mode suggested for carrying it into effect.

Lord Stanley's measure was as cumbrous as Mr. Sharman Crawford's was simple. A monstrous board, and enormous machinery was projected by his Lordship, comprising at the head a chief commissioner of improvements, with an unlimited train of assistant commissioners, secretary, clerks, &c., &c. All improvements relating to building and draining were to

be registered by the tenant, and were then to be tested by no less than six trials of various kinds before the amount of compensation claimed could be finally settled.

This short exposition of the machinery proposed by Lord Stanley supersedes the necessity of particularising the circumstances, under which the bill would have admitted claims for compensation, or of describing the arbitrary powers it proposed to confer upon the commissioner and his assistants in order to enable them to decide upon claims when registered. The scheme was soon abandoned as one utterly unworthy of consideration. But it may still be important to observe that no new tribunal is wanted for the *bonâ fide* purposes contemplated by the bill. The established courts of justice in Ireland are those to which all men should be made to resort. Their adaptation for the trial of questions of this kind is indisputable. If compensation is to be given at all for agricultural improvements it should be easy of attainment, and quick as well as economical in its process, and it should be in its authority above all suspicion of influences from the prejudices or the corruption of class and party. The law courts of the country possess in those respects a reputation which no government commission would easily attain. Its complicated, dilatory, and expensive machinery could not fail to feed the suspicions of the discontented, and augment the distress and disturbance of the country. A simple form of arbitration, or a cheap trial before a jury, is the only mode by which disputes of this kind could be fairly investigated, and justly determined.

Mr. Sharman Crawford's bill, and Lord Stanley's, appear to have been attentively considered in Ireland. Many voices have been raised in favour of the former, none for the latter. The principle and mode of operation desired in such a law may, therefore, be treated as having been to a certain extent defined and approved by public opinion. Noting the extreme wants of the country, and the rapidity with which it would become extensively applicable, it seems difficult to suppose that another year will be allowed to elapse before it finds its place in the statute book. It will be vain to propose other measures of improvement, and omit that which is the great

root of the national enormities. The statesman will be suspected of want of judgment, if not of want of sincerity, who shall dream of ameliorating the condition of Ireland, while he leaves the mass of the population without the protection of any law whatever for the security of the poor man's only capital—the produce of his daily toil invested in the soil, by which the landlord and the state are both supported.

Secondly, a substantial and comprehensive poor law is indispensable. It will not be enough to provide the tenant compensation for labour and capital invested in work. When he is destitute and cannot find employment, the right to obtain support from the property of the country should be his, and being thus entitled, mendicancy upon his part should be made a punishable offence. The administration of such a law should be placed chiefly in the hands of those whose interest it is to abate its excesses. If a different provision be made the Irish landlords will obstruct the action of the law. They know their power and will not tamely submit to a transfer of it to other hands. Scotland has been admitted to the privilege of a separate Commission. If the principle or application of the poor law in Ireland is to differ from the English rule and practice, there ought to be a separate Commission for Ireland, and the Commissioners ought to be Irishmen. These are three essential principles of a good poor law for Ireland.

The present law is perhaps the greatest failure of modern legislation. It has cost an enormous sum of money, and has in no sensible degree lightened the pressure of distress, or the claims of charity. On all sides infinite dissatisfaction has been expressed against its operation and effects. That the property of the country shall be charged with the maintenance of the poor, so that if it should not find them employment it must provide them food, is the only principle that can render such a measure efficient, and it is one that is not in any degree acted upon in the Irish Act: on that ground alone the experiment was sure to fail; but the plan contains other faults. The arbitrary powers given to the commissioners are particularly unsuited to the temper and habits of Irishmen. They are felt to be unnecessary as well as offensive, and are proudly

resisted. They should be reduced, and more authority to direct the action of the law should be vested in those whose property is most affected by the results. The inspection of poor houses, the auditing and publication of accounts, suggestive and critical reports to parliament and the government, and the enforcement as public prosecutors of due punishment for any offences committed against the law, these are the proper functions of commissioners. The powers created by the acts in force in both countries are unconstitutionally absolute, and alike unproductive of public benefit, and offensive to good feeling.

When it was first proposed to extend the poor law to Ireland, the extent of destitution shown to exist deterred men from grappling energetically with an evil of so much magnitude. The rental of the country, it was said, being not more than thirteen millions, and there being upwards of two millions of paupers, if you make them a charge upon the land they will eat up its produce and absorb its value. The locust plague was to be practically illustrated. The attention paid to this remonstrance led to the enactment of a poor law, which has been no relief to the great body of the poor. Poor houses have been built, which have sometimes been occupied and sometimes not; for two options are allowed: it is optional on the part of the poor to claim relief or not, as they choose; and it is optional on the part of the guardians to give relief when claimed, or not, just as they choose. The most distressing consequences have been the result of this perfect freedom of contradiction in both parties concerned.

The argument of those who resist the application to Ireland of such a law as is here demanded, proceeds in the main upon an erroneous supposition. It is assumed that if the property of the country was compelled to support its poverty, the latter would not be diminished; in other words, that the number of paupers would continue to be upwards of two millions if a rate were levied for their relief. But that would be impossible. For obviously as soon as the property became really chargeable with the support of this mass, serious and

successful efforts would be made to employ a considerable portion of them, and the employment so given would dispauperise that portion, and at the same time increase the rental of the country by the produce of the additional labour thus applied to its cultivation.

A plan has been produced of extending the power of the poor law generally, but leaving the enforcement of the power discretionary with government. The idea is not a happy one. A matter of this kind is the last that should be left in uncertainty. It will tend to confirm the poor in those habits of improvidence to which they are too much addicted. They will not care to anticipate the day of want while confident that clamour and intimidation, when that day comes with its attendant horrors, will wrest relief from the lord lieutenant, and the varied comforts of extended charity from the empire at large. In periods or places of limited distress the position of the lord lieutenant and privy council will be one of peculiar difficulty. While publicly importuned by the people to order a prompt and efficient enforcement of the law, they will be privately solicited by the aristocracy not to burden the land with an additional tax for which they will declare themselves unprepared and unequal. In a word, the obligation not being customary and established, will always when demanded be resisted as an innovation and an injury. And so the deadly struggle will be continued as of old, and neither party will be fairly treated while it lasts.

There are then but the two courses already recommended to be pursued, and these, if they are to be allowed a fair trial, must be pursued concurrently. Give the tenant a property in the labour and capital he invests in the enrichment of the land, and he will not fail to realize that property. Give him a right to food when he cannot earn it by labour, and he will abandon the attempt he is now obliged to make of trying to support human nature by cultivating a patch of land which cannot one year with another yield him the sustenance he requires. Assure him in other words that if he will trench, fence, and improve [illegible]m, he will receive the fair value of the improvement;

and his industry, animated by its natural impulse, will grow active and doubly fructify the land. The small and the large farmer will both rise quickly in the scale of existence by the force of these laws; while the lowest of all, when assured of food by other means, will no longer cling to his miserable patch with the tenacity of a drowning man, but will be content to see it enlarge some neighbouring farm, which will then afford him better fare as a labourer than it ever gave him as its occupier.*

* Some of the principles here advocated have been forcibly sustained by Mr. M'Culloch in the last edition of his Statistical Account of Great Britain. "In saying that the landlords should be made responsible for the subsistence of every individual upon their estates, we mean by landlords those who have the real property of the land, whether they possess it under interminable or long leases, or who can determine the mode of its management, and not those who only receive a great rent from it. Make the real owners directly responsible to the poor, and give them at the same time, and at whatever cost, easy means of ejecting, without danger to themselves or their agents, those tenants who may divide their holdings, and you will have done all that is necessary. The sagacity of the landlords will do the rest, and they will do it a thousand times better than it can ever be done by any one else. The obligation to support all the individuals settled on their lands will make even the most inconsiderate proprietors adopt every precaution to prevent the undue increase of cottages and cottiers, and to lessen their numbers, if they be excessive; at the same time that it will prevent them from attempting to effect these objects, as they have too frequently done, by turning out poor wretches with no alternative except that of starving in ditches or on the road side, or of banding themselves in nocturnal predatory associations. Being bound to provide adequate means of support for the cottiers dismissed from their holdings until the latter could provide for themselves, the landlords would have to proceed, even in enforcing schemes of improvement, with due deliberation. We should under such a system hear no more of wholesale 'clearings,' and provision might be made for the cottiers it was necessary to dismiss, as well as for the other classes of paupers, in a variety of ways and at but little cost, till they had been absorbed by the increasing demand for labour, or had emigrated to Britain or elsewhere. Let it be proclaimed that the poor are to be supported, *coute qui coute*, by rates levied on the land and assessed in all cases directly on the landlords; and let it further be proclaimed that the landlords need not look for pecuniary assistance to parliament or to any other source, and there cannot be so much as the shadow of a doubt that they will soon learn to assist and protect themselves and to organise machinery for that purpose. All that is required on the part of the state is to protect them in the fair exercise of their rights, and to compel them to do their duty, by giving an easy appeal to paupers dissatisfied with the decisions of the authorities—*i. e.* of the people of property—in the parish, townland, or other division to which they belong."

Thirdly a law for the better regulation of leases, and for the improvement of property held on lease, is greatly needed.

Two powers are desirable in such a law: the first to regulate future leases, the second to amend those already granted.

With respect to future leases it may perhaps be conceived too much to demand that none shall be lawful which for building purposes shall exceed a term of ninety-nine, and for agricultural purposes a term of twenty-one years. If this should be considered too bold an innovation to make at the present juncture upon the rights of private property, the principle might at least be applied to all church and corporation property, and to property held by trustees for charitable uses. A provision of this description could not fail to keep the profits of estates devoted to public trusts at all times commensurate with the increasing value of money, and thus enable the trustees to maintain the efficiency of the trust in a state of undiminished utility. Under any circumstances, the power to grant for the future such terms of lease as 500 and 999 years might be safely dispensed with. No advantages appear to accrue from the privilege, but many disadvantages, amongst which embarrassments of title, and depreciation in value, are not the lightest that are experienced.

The powers of retrospective action demanded are of the highest importance, and will require the most considerate treatment. It will not suffice to convert long leaseholds into freeholds, and renewal fines into increased rents. The power to extinguish both the one interest and the other is needed, and with the precedent furnished for the extinction of the Crown and quit rents, assuredly it would be wise to afford, without delay, facilities for purchasing up the many small rentals which are possessed by the representatives of ancient lessors, whose interests are in themselves insignificant when compared with the rental itself, however positive the value to the respective proprietors, and however considerable may be the total amount of such rentals now extant. If the principle here

contended for be admitted, the course to be pursued is direct and easy. These small rents should be treated as annuities, and they should be made purchasable, according to the rates established under the government tables, by the person holding more than a moiety of the whole of the income at present derived from the estate out of which they arise.

But as many of the estates thus circumstanced are strictly entailed, it would be necessary to give the Court of Chancery power to direct such sales as are here contemplated, and the investment of the produce in the purchase of other estates: it would also be found beneficial, once such a power was created, that it should be extended to other purposes, two of which invite particular attention. The one is a power to effect, by order of the Court, the sale of any estates under settlement, for the purpose of re-investing the produce in other lands more conveniently situate, with reference to the objects of the settlement. Much of the landed property that has been acquired of late years has been bought by mercantile and professional men in detached portions, as their means of purchase, or the quantity offered for sale, favoured the operation. These, in due course, have fallen under settlement, and the consequence is that many men possess rentals of 2,000*l.* and 3,000*l.* in detached freeholds, often situate in different counties, and extending to not more than from 100 to 200 acres each. By the consolidation of such estates, farming operations on a liberal scale would be extended, and the benefits of residence and personal superintendence on the part of the landlord would be materially promoted. The other power, and it is imperatively called for, is the power of selling settled estates when overburthened with debt. Whenever the Courts find an estate, notwithstanding the settlements to which it has been devoted, so incumbered with obligations and charges pronounced good and legal by the Courts themselves, as to be no longer equal to the maintenance of the trusts declared in those settlements, the satisfaction of the judgment creditor and the support of the tenant for life; they should possess the power to see their

own decrees carried into execution and to cause the lands t be sold. Abundant reasons are to be assigned in favour (such a law. Apart from the soundness of the principle whic subjects land to the payment of its debts, in common wit every other species of property, the state must feel that paupe landlords necessarily beget pauper tenants. So that justic between man and man, and the safety of the common wea must be held to unite in insisting upon the equitable powe here demanded.

But if care is to be taken—and assuredly care ought to b taken—for the purpose of enabling the landlords of Ireland t place their estates upon such a footing as shall prove alik advantageous to themselves and the community, a concu rent effort should be made to afford the lower classes and th thrifty farmers throughout the country an opportunity c becoming landed proprietors also, by vesting the savings c their labours in the purchase of farms in fee. Small estate of this tenure are almost unknown in Ireland, and the countr suffers no heavier misfortune than that deficiency. There i not a district, however notorious for unlawful proceedings that would not have been peaceful, if some fair portion of th cultivators of the soil had been proprietors of it also, and ha their proper interest in the discouragement of crime, and th maintenance of the established order of things. The mor the statistics of disturbance are traced to their obvious cause the more acutely will it be felt that incalculable benefits ar to be realized by the introduction of farms held in fee simple by the persons cultivating them, to the extent of from 20 t 100 acres each. There is no yeomanry in the country; ther are no small landowners, such as abound in the continents states, that are making enviable progress in the arts of peac and prosperity; and peace or prosperity of an enduring cha racter will not find a home in Ireland, until small landed pro prietors become established in it. They are the surest protector of the law, the strongest maintainers of peace, and the mos indefatigable promoters of improvement, because law, peace, an improvement are their best allies, and the indissoluble partner

of every interest they possess. Agrarian disturbances, insurrections, fever and famine, could not have so long and so severely made a prey of the country if such a class had been in existence; and if the periodical recurrence of so many plagues is to be prevented for the future this class must be created.

The direct means possessed by government or the legislature of raising such a class are but few. If the Crown lands in Ireland were judiciously parcelled out into small lots and sold to the occupying tenants, some good would be effected. If the London companies were called upon to dispose in the same way of the vast estates they possess, an immense benefit would be conferred. When the municipal corporations were reformed those bodies were compelled to sell within a limited period all the church livings of which they were proprietors. Analogous reasoning dictates the abandonment of the unseemly possessions held by the London companies in Ireland, and such a measure may be the more confidently advocated because a liberal price would in every instance be paid for the property, and thus the sellers would rather be gainers than losers by the transaction.

Private enterprise, however, will in all likelihood prove the most effective agent in bringing about this as well as most other improvements in Ireland. One or two attempts have been made to form joint-stock companies in that country for the purchase of estates as they are publicly offered for sale, and then reselling them in suitable portions to small capitalists and practical farmers. The present juncture is so favourable for operations of this kind, the empire at large must continue to suffer so intensely while the class referred to remains uncreated, and so much land is sure to change hands in Ireland within a few years, that if a few competent persons were to take the lead in such an enterprise it could not fail to be eminently useful to the state, and profitable to all parties concerned.

It would be easy to add considerably to the list of remedial measures already reviewed. There are, for instance, the laws which regulate the elective franchise, those which deny the tenant for life of an entailed estate the right to charge the

inheritance with the cost of important improvements, and those which empower grand juries to levy county rates and cesses:—all these are more or less vexatious and impolitic. But it is unnecessary to insist upon a particular consideration of any of them, because if the more essential improvements were conceded, all minor ones would naturally follow in their turn. If the waters of regeneration could be made to flow even for a short interval in the right channels, it would be impossible to arrest their current or to set a limit to the blessings they will surely diffuse as they pour along.

A few projects—but more or less of doubtful policy—for the improvement of Ireland and the employment of her people have been pushed forward from time to time with varying degrees of zeal and confidence, and it will now be proper to advert briefly to them for the sake of completeness and impartiality. The projects referred to are a state reclamation of waste lands, a tax upon absentees, and a compulsory obligation on landlords to grant leases.

The Irish waste lands being of considerable extent have long attracted the notice of speculators and improvers. They are about to receive the attention of her Majesty's government, and a sum of one million is promised to the Irish landlords as an aid towards their reclamation. But there is much room to doubt the policy of such a proceeding at any time, and especially at the present time.

There was a Commission to survey the bogs of Ireland, which cost £32,000 in the year 1809. Four able reports and several good maps were published by the Commissioners, but no steps have since been taken by the government to found any measure upon their labours. The Committee relating to the poor of Ireland in the year 1830 refer in their report to no less than twelve preceding sessions during which the importance of reclaiming the Irish wastes was, amongst other advantageous works, strongly recommended. In the session of 1835 the Commons Committee on Public Works went again into the subject at considerable length, and reported that "no experiment was necessary to persuade any

scientific man of the possibility of carrying into effect the reclamation of bogs."

The evidence justifying this language was principally that given by Mr. Griffith, the civil engineer, and Mr. Featherstone, a successful practical farmer.

Mr. Griffith deposed that,

"The mountain bog of the south of Ireland—the moory bog, varies in depth from nine inches to three feet, below which there is a clayey or sandy sub-soil. On the average, about £4 per statute acre is required to bring it from a state of nature to one of cultivation, and then it will fetch a rent of from 5*s*. to 10*s*. per English acre."

Again,

"£1 4*s*. an acre is the highest estimate for the draining of this land in covered drains; the remainder of the expense consists in the trenching up the surface, turning up the sub-soil, and mixing it with the bog; no manure is wanted, a portion of the bog being burnt for that purpose."

Further,

"The expense of reclaiming deep bogs per acre, may be estimated thus:—drainage of an English acre, in the most perfect way, about £1 4*s*., which is about 40*s*. the Irish acre; that includes the underdrain: the levelling and digging comes to about £1 10*s*.; and afterwards, the claying comes to about £6 12*s*. per statute acre."

Lastly,

"The reclamation of mountain land is very profitable, and easily effected; but the reclamation of deep bog land is attended with a much greater expense, and requires both care and judgment. But both are certainly reclaimable, and would give a successful return when judiciously treated."

Mr. Featherstone assured this Committee that he had reclaimed the worst sort of bog land for £13 an acre, and some cush bog land for £6 an acre: the former, when reclaimed, was worth £1 an acre, and the latter £2 an acre. "It took me," he adds, "£13 an acre to reclaim the first red bog I tried my hand on: and it would take to reclaim, on the average, the red bog of Ireland, £10 an acre."

The Commission of 1809 returned as improvable,
1,576,000 acres of flat bog;
1,254,000 acres of mountain top bog;
2,070,000 acres of convertible mountain bog.

In the year 1845, Mr. Griffith made an estimate for the Land Commission of the unimproved pasture and bogs of the country, which he set down as 6,290,000 acres in the whole, of which 2,535,000 are not to be improved.

Three reclamation experiments upon a large scale have been undertaken of late years, but the results are not esteemed satisfactory. The Commissioners of Woods and Forests placed a wide tract of waste land belonging to the Crown, called Pobble O'Keefe, or King William's town, under the management of Mr. Griffith, and expended some amount of money in trying to render the property productive —but without much effect. Here there appears to have been no want of knowledge, judgment, caution, or of capital—but the profit has not encouraged an extension of the experiment. The Crown holds still larger tracts of the same kind of land on the same spot, but the Commissioners have not ventured to enlarge their operations.

The Irish Waste Land Society, incorporated by the Act 6 & 7 Will. IV. c. 97, has been in existence upwards of ten years, and has taken on lease several tracts of waste land in different counties. If reliance may be placed upon the reports published by the Directors, the operations of this society have been productive of many benefits, but as no dividend has ever been produced to the shareholders, and a price is not to be obtained for their shares in the market, it is impossible to regard this investment, however well intended, or judiciously conducted, in any other light than that of a complete failure.

The monks of the order of La Trappe, located at Mount Melleray, in the county of Waterford, have produced green crops from the very worst description of bog land, but their attempts to raise grain have not succeeded. The capital spent by that penitential fraternity in labour has never been computed. No other men could subsist and toil upon the

frugal diet with which they are content. If the stubborn barrenness of the mountain bog could be subdued by mortal hands, it would have yielded to theirs. But the example of their labour and its results has inspired no imitators worth speaking of.

There are then two sides to the question: on the one are the statements of private persons who depose in positive terms to the profitable character of the trials they have made; and on the other are the larger but less successful operations of the government and public bodies. Perhaps the difference between the two results is to some extent a natural consequence of certain essential differences between the position of the two parties. The best of all workmen is he who works for himself only. Thus the enterprise of an individual when well directed and ably sustained, will generally be found to exceed that of the state, or of incorporated communities. The economy of the man who is to reap the whole profit of a venture, his keenness, vigour, and spirit are unconquerable. His daring is commensurate with his gain; and he stands unequalled, because others have divided interests and he but one.

But there is still another aspect in which the reclamation of Irish wastes deserves to be viewed. The Poor Law Commissioners have sanctioned some reclamations on Trafford Moss, by the paupers of the union in which it lies, and the work is said to proceed satisfactorily. The principle upon which employment is found for workhouse poor supposes quite another rule of profit from that applied to ordinary labour. It is not necessarily reproductive, and may be highly useful although attended with pecuniary loss. In this point of view the employment of the Irish poor upon the waste lands of that country suggests new considerations. If the state should be called upon to advance any large amount of money for the relief of Irish destitution, it may be wise to insist that some labour shall be given in return for this succour, and in that event why not devote the labour to these waste lands? The work, though a present loss, might ultimately prove advantageous. It is possible that a waste

cultivated upon the plan adopted at Trafford Moss by a poor-law union, or taken to reclaim by the different unions of one county, might, after the first expense of draining and fencing had been treated as sunken capital, be let out beneficially both for the public and the tenantry in small divisions of twenty acres each, and a rent of five shillings an acre for twenty-one years. If such an experiment obtained moderate success, and a law securing compensation for improvements were on the statute book, the rapid growth of a yeoman class might be regarded as certain.

Absentees have been the cause of fearful evils in Ireland, and a tax having been more than once imposed upon their estates in former times, it is common to see them registered in the popular lists of Irish grievances, and to find the renewal of the old tax advanced as one of the standard panaceas of Irish distress. But amongst the very best of the Irish proprietors are to be found men who do not set a foot in the country once in seven years. There is not a province in Ireland in which, if it be desired to point out the best method of managing land, and the best manner of treating a tenantry, the example will not be found on the estate of an absentee. To levy a tax upon such a man would be monstrous injustice, and a national wrong.

The plain truth is, that although a resident landlord may, if he be a well-disposed and prudent man, accomplish infinite good, yet a tenantry may enjoy fortune and happiness in a high degree without being blessed with his presence. No doubt it is a beautiful sight to behold the lord of the soil residing in the hall of his ancestors, and spending within his own domain the rents produced by the industry of his surrounding tenants; but the content of their position follows not as a consequence of the residence of the landlord, but of the terms upon which he lets his land. The whole question, with its dread alternative of prosperity or ruin, turns upon that one condition—the amount of rent paid. If that be fairly apportioned to the circumstances of the locality, all goes well and merrily; if not, penury and discontent overspread the scene.